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State of Montana
Department of
Public Health and Human Services

Early Childhood Services Bureau

Child Care Policy Manual

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Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Table of Contents**

Supersedes: Child Care 1-1 (3/1/02)

OVERVIEW OF BEST BEGINNINGS CHILD CARE SCHOLARSHIPS

1-1	**Table of Contents**	7/1/03
1-2	**Human & Community Services Division Organizational Chart**	8/1/03
1-3	**Definitions**	7/1/03
1-4	**Provider Rates** ❑ Market Rate Survey ❑ District Rates	7/1/03
1-4a	**Children with Special Needs** ❑ ADA – Reasonable Accommodations ❑ CCR&R Role ❑ Individual Child Care Plan ❑ Limits on Rate Approval Amounts	7/1/03
1-5	**Child Care Sliding Fee Scale Effective November 1, 2002** ❑ Family Income Eligibility Thresholds ❑ Co-payment Obligation	7/1/03
1-6	**Fair Hearing Process** ❑ Notice when State Reduces Benefits ❑ Right to Fair Hearing	7/1/01

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview - Best Beginnings Child Care Scholarships

Subject:
Table of Contents

1-7	**Confidentiality** ❑ Reporting Abuse & Neglect, 1-866-820-KIDS (5437) ❑ Contractors ❑ Release to Law Enforcement ❑ Release to Participant ❑ Authorizations to Release Information ❑ Child Care Providers	7/1/03
1-8	**Child Eligibility** ❑ Residency ❑ Household ❑ Age ❑ Child's Relationship to Provider	7/1/03
1-9	**Parent Eligibility - Overview** ❑ Overview of Programs ❑ LUP Application Date ❑ Limitations of Best Beginnings Scholarships	7/1/03
1-10	**Provider Eligibility - Overview** ❑ Provider Maintains Registration, License or Payment Number ❑ Provider Licensed by Another Entity ❑ Provider Must Allow Access to Facility & Records ❑ Provider Must Submit Invoices Within 60 Days ❑ Substitute Provider Must Pass Background Checks	7/1/03

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview - Best Beginnings Child Care Scholarships

Subject:
Table of Contents

NON-TANF CHILD CARE ELIGIBILITY

2-1 **Application Process** 7/1/03
- Eligibility Begin-Date
- CCR&R Processing
- Application Processes
- Limitations of Non-TANF Child Care
- CCR&R Processing
- Waiting List

2-2 **Household Requirements** 7/1/03
- Household Membership – Required & Optional
- Common Law Marriage
- Joint Custody Arrangements
- Temporary Absence from Household
- Child Support Requirement

2-3 **Non-TANF Activity Requirements** 7/1/03
- Employed (Meeting Work Requirement)
- Parent with a Severe Disability
- Employed & Attending School
- Teen Parents

2-4 **Household Income** 7/1/03
- Family Shall Obtain All Income
- Verifying Income
- Unearned Income
- Earned Income
- Self Employment Income

2-5 **Prospective Budgeting** 7/1/03
- Anticipating
- Factoring
- Averaging
- Annualizing

2-6 **Income Evaluation Table** 7/1/03

TANF CHILD CARE ELIGIBILITY & COORDINATION

3-1 **OPA, WoRC & CCR&R Coordination** 7/1/03
- Qualifying Families
- Child-Only Grant
- Qualified Provider
- OPA/WoRC Refer Families to CCR&R
- CCR&R Manages Child Care
- Loss of Eligibility
- TANF Sanctions
- Dependent Care Disregard
- Co-payment Requirement
- Affordable, Appropriate, Suitable Care within a Reasonable Distance
- FIA Codes

CHILD & FAMILY SERVICES CHILD CARE MANAGEMENT

4-1 **CFSD & CCR&R Coordination** 7/1/03
- Eligible Providers
- Child Care Referral – Electronic Form
- Four Options Under Best Beginnings Child Care Scholarship
- CFSD Child Care Options on CAPS
- Foster Children

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview - Best Beginnings Child Care Scholarships

Subject:
Table of Contents

5 - RESERVED

SERVING THE FAMILY

6-1 **Child Care Referrals** 7/1/03
- Referral Process
- Basic Referrals
- Enhanced Referrals
- Unbiased Referrals
- Child Care Need Form
- Provider Updates
- NACCRRAware

6-2 **Legally Unregistered Providers** 7/1/03
- Qualifications
- Application Process
  - Background Checks
  - Fingerprint Options
- CCR&R Process
- Denials

6-3 **Issuing the Child Care Certification Plan** 7/1/03
- General Rule
- Respite Care Not Covered
- Maternity Leave Generally Not Covered
- Maximum Number of Hours
- Parent Unavailable
- Sleep Time
- Study Time

6-4 **Co-payment Requirements** 7/1/03
- Co-payment Required for Eligibility
- Arrangements in Lieu of Cash
- Disputed Co-payments
- Notice of Unpaid Co-payment
- Cost of Care is Less Than Co-payment

6-5 **Change Reporting** 7/1/03
- Change Reporting Requirements
- CCR&R Evaluates the Change
- Continuation of Best Beginnings Child Care Scholarship
- Increase of Best Beginnings Child Care Scholarship
- Decrease of Best Beginnings Child Care Scholarship
- Loss of Best Beginnings Child Care Scholarship

6-6 **Continuity of Care** 7/1/03
- Limitations
- Certified Enrollment
- Extending Child Care Hours
- Fill-the-Gap
- Grace Period
- Holding-the-Slot
- Holidays
- Medical Appointments
- Medical Emergency
- Suspending a Case

6-7 Reserved

6-8 **Invoice & Payment Processes** 7/1/03
- Sign-in/Sign-Out Sheets
- Actual Daily Attendance
- Accurate Invoices
- Timely Invoices
- Payment Address
- Batch Processing
- Direct Deposit
- Online Invoicing
- Recertification Review

6-9 **Overpayments** 7/1/03
- Overpayment Due to Willful Action
- Agency Error Results in Overpayment Sent to Parent
- Calculating an Overpayment
- Negotiating a Repayment
- Reporting Fraud
- Household Overpayment
- Provider Overpayment
- Overpayment Process Guide

6-10 **Table of Eligibility Related Forms** 7/1/03

6-11 Reserved

6-12 Reserved

6-13 **Resources for CCR&R Eligibility Specialists** 7/1/03

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Table of Contents**

BEST BEGINNINGS QUALITY INITIATIVES

7-1	**Tiered Reimbursement for Quality Care** ❑ Accreditation ❑ Rate Structure ❑ Star Rating System	3/1/02
7-2	**Career Development**	1/1/00
7-3	**Infant/Toddler Program**	10/1/99
7-4	**Provider Grants** ❑ Categories of Grants ❑ Who May Apply ❑ How to Apply ❑ Maximum Grant Awards ❑ Special Retirements	7/1/03
7-4a	**Mini Grants** ❑ Who May Apply ❑ How to Apply ❑ Maximum Grant Awards	6/1/01
7-5	**Merit Pay** ❑ Training Requirements & Conditions ❑ Priority ❑ Merit Pay Eligibility ❑ Merit Pay Summary & Proof of Training Completion	3/1/02
7-6	**Provider Training**	1/1/00

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview - Best Beginnings Child Care Scholarships

Subject:
Table of Contents

ADDENDUM - CHILD CARE LICENSING (Quality Assurance Division)

815-1	**Introduction to Registration**	1/98
815-2	**Definitions - Child Day Care Licensing**	2/01
815-3	**Day Care Registration Procedure**	2/01
815-4	**Day Care Orientation and Training**	2/01
815-5	**Registration Monitoring Process**	3/01
815-6	**Checklist for Family Home, Infant Care & Group Home**	2/01
815-7	**Licensing Requirements**	8/95
815-8	**Day Care Center Licensing Procedure**	3/01
815-9	**Renewal Procedures for Day Care Facilities**	6/01
815-10	**Negative Registration/Licensing Action**	7/03
815-12	**Drop-in Care Protocol**	10/99
815-13	**Extended Licensing Procedure**	5/01
815-15	**Complaint Policy**	6/01
815-17	**Locking the Door Policy**	1/03

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

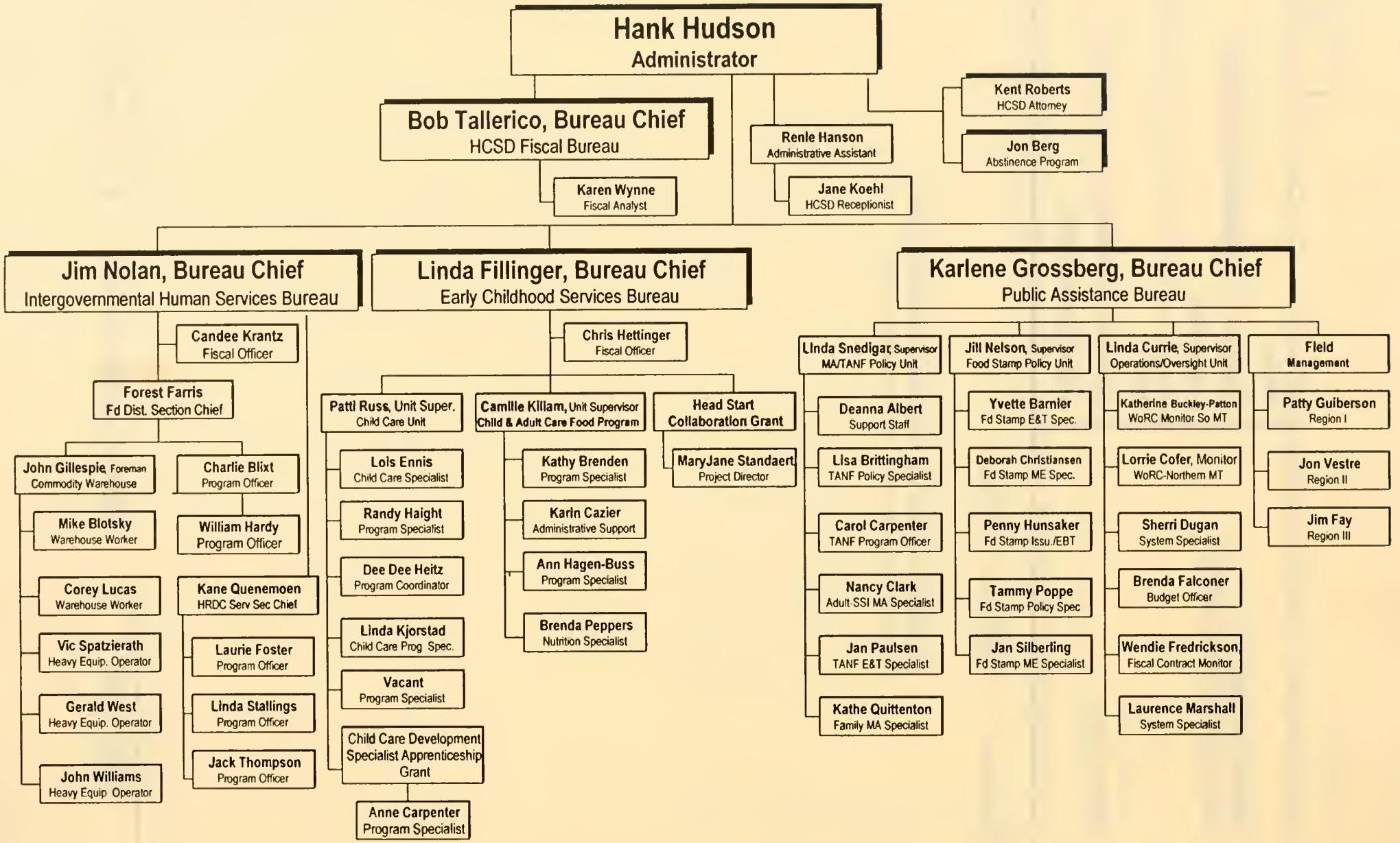
Subject:
Human & Community Services Division Organizational Chart

Supersedes: **Child Care 1-2 (8/01/01)**

The DPHHS Human and Community Services Division organizational chart is on the back of this page.

Department of Public Health and Human Services

Human & Community Services Division



Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Definitions**

Supersedes: **Child Care 1-3 (1/1/02)**

References: **Section 52-2-703, MCA.**
Sections 37.80.101, .102, .103, .201, .202, .205, .206, .301, .302, .305, 306, .315, .316, .501, ARM
45 CFR 98.2 and 98.33
Child Care Fund State Plan, Appendix 2.

A

Absent Parent, means a natural or adoptive parent, or stepparent who is separated or divorced from the child's residential parent, or who was never married to the residential parent. An absent parent does not share family income, resources, or obligations with their child's household, except by paying child support or alimony. In contrast, see 'Parents Living Apart,' below.

Adverse Actions, as defined in Section 37.5.304, ARM, include:

(a) a failure of the Department to provide a claimant an opportunity to make an application or reapplication for benefits;

(b) a failure of the Department to act with reasonable promptness on a claimant's application for benefits;

(c) an action by the Department denying, suspending, reducing or terminating benefits of a claimant, or an action by the Department demanding repayment of or to recover an overpayment of benefits to a claimant;

(d) an action by the Department establishing conditions on the manner or form of benefits, including restrictive benefits or protective payments, or establishing conditions for the receipt of benefits, including a work requirement;

(f) an action by the Department to deny, suspend, reduce, revoke or terminate licensure, registration, certification or enrollment of a provider or to fail to renew certification, enrollment, licensure or the registration certificate of a provider who has applied for renewal;

(k) a determination that the Department intends to impose a lien upon the applicant's or recipient's real property pursuant to 53-6-171, MCA.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Definitions

Affordable Child Care means the total parental (caretaker, relative, or person acting in loco parentis) co-payment and 'above and beyond' obligation does not exceed 25% of gross family income.

Application Date means the date the child care resource and referral agency receives and date stamps the completed application form, the 'Best Beginnings Child Care Scholarship Application' (DPHHS-HCS/CC-010) or the 'Legally Unregistered Provider and/or In-home Care Application for State Payment Only' (DPHHS-HCS/CC-087). The application date established the beginning of the time span in which the application process must be completed.

Appropriate Child Care means the child care provider must meet applicable state licensing standards.

Attending (a job training or educational program) - A person is considered to be attending, whether part-time or full-time, if they remain in good standing with either the job training or education program in which they are enrolled. Child care is allowed for scheduled class time and the time necessary to commute between the parent's home, the child care facility and the education or training facility.

C

Certified Enrollment is intended to assist families to pay child care facilities requiring payment when a full time child is temporarily absent. Certified Enrollment days can only be used for times of temporary absence including illness, and are limited to 150 hours in a state fiscal year (July 1st through June 30th). A limit of 10 consecutive days of Certified Enrollment can be billed at one time.

Child Care is a supplemental form of care which provides parental care for children up to the age of 13 years (or 18 years for a special needs child) by an adult other than a parent, a guardian, a person serving in loco parentis, or a child's relative on a regular basis for daily periods which do not generally exceed 24 hours.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Definitions

Child Care Center means a place in which supplemental parental care is provided to 13 or more children on a regular basis.

Child Care Under the Big Sky (CCUBS) is a child care program management computer system implemented in March 2002. The Oracle based computer system integrates licensing, subsidy, and contract management functions.

Combination Full/Part Time Child Care means care provided in excess of 10 hours per day. The full-time child care rate is paid for the first 10 hours; additional hours beyond 10 hours/day are paid for at the hourly rate up to 16 hours/day. Care in excess of 16 hours a day is reimbursed up to 2 full child care days.

Common Law Marriage - A common law marriage has all of the same rights & duties as a ceremonial marriage. Therefore, if the income and availability of a step dad, married by ceremony is considered, then the same applies to a step dad married by common law. There is no "benchmark" at which a couple is deemed common law married. However, if they are holding themselves out as common law husband and wife, then they are common law married for all intents and purposes.

D

Dependent Child means a child under the age of 18 who lives in the household of a natural or adopted parent, foster care parent, or an adult serving in loco parentis.

E

Education Program refers to a program that is accredited by the State of Montana. Educational programs include, but are not limited to, vocational-technical schools, business colleges, junior colleges, universities and/or special classes, which may be classified as "employment related training. "

F

Fair Hearing - A proceeding in which a determination of legal rights, duties, or privileges of a party is required by law. Parties affected by an adverse action

must send a written request to the Department for a fair hearing in a timely manner. See "Fair Hearing Process."

Family Child Care Home means a place in which supplemental parental care is provided to three to six children, no more than 3 children less than 2 years of age unless care is provided for infants only.

- For places providing care only for infants, family child care home means a place in which supplemental parental care is provided for up to 4 infants. No other children shall be in attendance.

Fill-the-Gap allows OPA Eligibility Case Managers and CCR&R Eligibility Specialists to provide a child care scholarship to a TANF family who needs child care because circumstances have changed and the child care disregard has not been prospected. See "Continuity of Care."

Full-time Child Care means six to 10 hours per day and 30 or more hours per week on a regular basis.

G

Good Cause Not To Cooperate with Child Support Enforcement means a parent may be exempted from the requirement due to endangerment issues. See Non-TANF "Household Requirements."

Good Cause to Request a Grace Period means a parent must demonstrate they have sound reasons for temporarily not complying with the minimum hourly work requirement. By demonstrating good cause, families may request a grace period extending the child care scholarship temporarily, time while they look for new employment. See "Continuity of Care."

Grace Period - Families who lose employment, therefore fail to meet the minimum hourly work requirement, may apply to receive child care for 30 days, if they are looking for work. See "Continuity of Care."

Group Child Care Home means a place in which supplemental parental care is provided to 7 to 12 children on a regular basis unless care is provided for infants

only.

- For a place providing care only for infants, group child care home means a place in which supplemental parental care is provided for up to 8 infants. No other children shall be in attendance.

H

Household means a family unit living together, related by marriage or parentage. Unrelated individuals may choose to be considered part of the household. See Non-TANF "Household Requirements."

I

Infant means a child age 0 through 23 months old. For the purpose of child care provider rates, the child move from the 'infant rate' to the 'child (2+) rate' on their second birthday.

Invoice is a list of daily attendance providers use to bill for child care scholarship services.

In Loco Parentis means a person who is exercising care and control of the children in place of the parent.

J

Job Training and Educational Program is a program designed to assist eligible families to become self-sufficient by providing needed employment-related activities and supportive services. Job training programs include, but are not limited to, WoRC and special classes, which may be classified as "employment related training."

M

MACCS means the Montana Automated Child Care System. This system was been used to administer Montana child care subsidy programs from 1995 to 2002. The "Child Care Under the Big Sky" (CCUBS) computer system replaced MACCS.

Medical Emergency means an unexpected medical condition expected to last less than three months, as verified by a medical doctor. See "Continuity of Care."

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Definitions

P

Parent means a parent by blood, marriage, or adoption and a legal guardian, or other person acting in loco parentis.

Parents Living Apart means the couple considers themselves intact. Income and resources and household obligations are shared, although the individual parent may reside in separate locations. In contrast, see 'Absent Parent', above.

Part-time Child Care means less than six hours per day, billed at an hourly rate.

Prospective Budgeting means calculating eligibility and co-payment amount by using the best estimate of the income and circumstances that are expected to exist in the future benefit month. It is ECSB policy to determine eligibility prospectively. Changes should be applied to the future benefit month(s), not the current month. See "Prospective Budgeting."

Protective Services Child Care - CPS child care is available for children in care because of the danger of neglect or abuse. The need for protective services child care is determined by community social workers.

Q

Qualifying Specified Relative is a TANF term, which means any blood relative including those of half-blood, including first cousin, nephews, or nieces and persons of preceding generations as indicated by prefixes of grand, great, or great-great; stepfather stepmother, stepbrother and stepsister; those who legally adopt the child or his/her parent as well as the natural and other legally adopted children of such persons; spouses of anyone named in the above groups even after the marriage is terminated by death or divorce; and person(s) acting in loco parentis.

R

Reasonable Distance means:
a. If the family is without either their own (or arranged) transportation and there is no public transportation, then their home or work site must be no more than 3 miles from the child care provider.

b. If the family has their own (or arranged) transportation, their home or work site is within one-hour travel distance, one-way, from the child care provider.

Request for fair hearing is any clear, written statement to DPHHS by the person denied a benefit stating that they want to present their claim to a higher authority. The request must be made within 10 days of receipt of the notice of the Department's adverse action.

Regular Basis means child care occurring 3 or more weeks per month.

Required Household Members - (for Non-TANF)

- Natural, adoptive parent or stepparent of an intact family, regardless of living arrangements
- Parent by common law marriage
- Parent joined by a common child
- Minor sibling, age 17 and under, including stepbrother, stepsister, half brother and half sister
- Child receiving Best Beginnings Child Care Scholarship
- Child receiving TANF Cash benefits, or other subsidy, as a member of the household

Refer to section 2.2 of this manual.

Residing with - A child must live in the same household as the parent, other specified relative, or persons acting in loco parentis during the period for which the child care scholarship is requested. Refer to section 2.1 of this manual.

S

State Rates are child care provider rates as listed in Section 1.4 of the Child Care Policy Manual and available from the DPHHS Early Childhood Services Bureau.

Special Needs - A child with special needs means is a child between the ages of 0 and 18 years, whose case record contains written verification of the physical, emotional or mental disability from the appropriate authority. A child with special needs may be served up to their 19th birthday, if they are a full-time

student in a secondary school (or in the equivalent level of vocational or technical training).

Suspending a Scholarship means keeping a child care scholarship open, temporarily, while a child care scholarship is not needed. A scholarship may be suspended for up to 30 days. If the scholarship is not needed for more tan 30 days, the child care scholarship must be closed.

T

Teen Parent means a parent through their 20th birthday who is attending high school. The Non-TANF minimum hourly work requirement is waived for teen parents attending high school. The month following the 20th birthday or the month they leave high school the minimum hourly work requirement applies to their eligibility for a Non-TANF Best Beginnings Child care Scholarship.

Training means instruction that is done to improve the skills or learning of an individual. Examples of training include on the job skills training, truck driving, and computer skills training.

Tribal TANF families participate in a tribally run TANF program on their Indian reservation. These families are dually eligible for Tribal Block Grant child care and State CCDF Best Beginnings Child Care Scholarship. If the Tribal TANF program exhausts child care funding or if Tribal Block Grant families find they are covered for additional activities under State CCDF child care rules, families may apply for a Best Beginnings Child Care Scholarship.

U

Unsuitable Informal Care means care that does not meet applicable state licensing/registration standards, even though it may be the parents' choice.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Definitions

Willful Action includes but is not limited to the making of a false or misleading statements, a misrepresentation, or the concealment or withholding of facts or information that results in an overpayment of scholarship benefits.

Work - An individual is working when s/he performs any paid type of legal labor on either a full or part time basis and has documents to show income received. Self-employment will be determined, in part, by verifying tax returns submitted to the IRS. Evidence of workers compensation or a waiver from workers compensation is also further proof of employment.

Work-Study – An employment program designed to assist students earn while attending a post-secondary education program. For the purpose of child care eligibility, work-study earnings are counted as income and work-study hours count toward meeting a minimum hourly work requirement.

DEPARTMENT OF
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November 10, 2004

TO: Child Care Manual Holders

FROM: Anne Carpenter
DPHHS ECSB

SUBJECT: Bulletin #4 - Child Care Manual
Place this bulletin at the beginning of section 1-4 in the Child Care Manual. This bulletin updates portions of Section 1-4, pgs. 1 - 7 Overview – Best Beginnings Child Care Scholarships. New replacement manual pages will be coming soon.

Section: Child Care Manual Section 1-4
Subject: Provider Rates
Effective Date: July 1, 2004

Child Care Provider Market Rate Survey
Every two years, the Early Childhood Services Bureau (ECSB) conducts a market rate survey of child care providers as a basis for recommending district child care rates. The survey is derived from data in the CCUBS computer system.

If funding is available, the ECSB provides families with a level of Best Beginnings Child Care Scholarship that allows access to 75% of the child care facilities in their district. Rates effective July 1, 2004 are based on the 75th percentile of the June 30, 2004 Market Rate Survey.

ECSB Pays the Lower Rate
No change

Provider Shall Report Rate Changes
Participating child care providers must report their current rates for private-pay families to the CCR&R. The rate change will be effective on the date the change was reported to the CCR&R or the date the provider indicates, whichever is later. A change in provider type or a change in district child care rates does not automatically result in a rate change for the provider.

District Child Care Provider Rates
Currently, licensed and registered child care facility district rates are set at the 75th percentile of the June 2004 market rate survey. Rates are rounded to the nearest ten cents ($0.10).

Since legally unregistered providers (LUPs) are generally not subject to market demands, LUP rates are set at 75% of the district family rate survey.

CCR&R District	Facility Type	Child Daily Rate	Child Hourly Rate	Infant Daily Rate	Infant Hourly Rate
Billings	Center	$20.00	$3.80	$25.00	$3.90
Billings	Family	$18.00	$3.00	$20.00	$3.30
Billings	Group	$20.00	$3.50	$22.50	$4.00
Billings	LUP	$13.50	$2.30	$15.00	$2.50
Bozeman	Center	$24.80	$4.00	$28.50	$4.30
Bozeman	Family	$20.30	$3.50	$24.00	$4.00
Bozeman	Group	$24.00	$4.00	$25.00	$4.50
Bozeman	LUP	$15.20	$2.60	$18.00	$3.00
Butte	Center	$17.50	$3.50	$19.00	$2.70
Butte	Family	$18.00	$2.70	$20.00	$3.00
Butte	Group	$20.00	$3.00	$20.00	$3.00
Butte	LUP	$13.50	$2.00	$15.00	$2.30
Glasgow	Center	$20.00	$2.30	$20.00	$2.30
Glasgow	Family	$18.00	$2.00	$18.00	$2.30
Glasgow	Group	$18.00	$2.00	$18.00	$2.50
Glasgow	LUP	$13.50	$1.50	$13.50	$1.70
Glendive	Center	$18.20	$2.20	$20.10	$2.30
Glendive	Family	$18.00	$2.00	$18.00	$2.30
Glendive	Group	$16.00	$2.00	$18.00	$2.30
Glendive	LUP	$13.50	$1.50	$13.50	$1.70
Great Falls	Center	$22.00	$3.60	$27.50	$5.00
Great Falls	Family	$18.00	$2.90	$18.00	$3.00
Great Falls	Group	$17.00	$2.80	$18.00	$3.00
Great Falls	LUP	$13.50	$2.20	$13.50	$2.30
Havre	Center	$20.00	$3.00	$21.50	$3.20
Havre	Family	$18.00	$2.50	$18.00	$2.50
Havre	Group	$19.80	$2.70	$19.80	$2.70
Havre	LUP	$13.50	$1.90	$13.50	$1.90
Helena	Center	$18.00	$4.00	$23.50	$4.00
Helena	Family	$17.00	$2.80	$18.00	$3.00
Helena	Group	$18.00	$3.00	$20.00	$3.50
Helena	LUP	$12.80	$2.10	$13.50	$2.30
Kalispell	Center	$20.00	$3.00	$23.80	$3.60
Kalispell	Family	$20.00	$3.00	$20.00	$3.30
Kalispell	Group	$20.00	$3.50	$20.00	$3.50
Kalispell	LUP	$15.00	$2.30	$15.00	$2.50
Lewistown	Center	$18.30	$3.40	$19.80	$3.60
Lewistown	Family	$18.50	$2.80	$21.30	$3.30
Lewistown	Group	$17.30	$4.00	$19.30	$4.00
Lewistown	LUP	$13.90	$2.10	$16.00	$2.50
Miles City	Center	$16.30	$2.20	$20.00	$2.60
Miles City	Family	$18.00	$2.50	$19.50	$2.50
Miles City	Group	$17.00	$2.50	$17.80	$2.50
Miles City	LUP	$13.50	$1.90	$14.60	$1.90
Missoula	Center	$22.30	$3.80	$24.50	$3.50
Missoula	Family	$19.00	$3.00	$20.00	$3.30
Missoula	Group	$20.00	$3.50	$21.00	$3.80
Missoula	LUP	$14.30	$2.30	$15.00	$2.50
State Rate	Center	$22.00	$3.80	$25.00	$4.00
State Rate	Family	$18.00	$3.00	$20.00	$3.00
State Rate	Group	$20.00	$3.50	$20.00	$3.50
State Rate	LUP	$13.50	$2.30	$15.00	$2.30

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Provider Rates**

Supersedes: **Child Care 1-4 (7/01/01)**

References: **Sections 37.80.101, .102, .206, 305, 306 ARM. 52-2-704 & 53-4-601 MCA**
45 CFR Part 98.43

Incorporated by reference in ARM 37.80.205 (5)

Child Care Provider Market Rate Survey

Every two years, the Early Childhood Services Bureau (ECSB) conducts a market rate survey of child care providers as a basis for recommending district child care rates. The survey is derived from data in the CCUBS computer system.

If funding is available, the ECSB provides families with a level of Best Beginnings Child Care Scholarship that allows access to 75% of the child care facilities in their district. The most recent survey occurred in September 2002, however, ECSB was not able to adopt the new rate recommendations due to budget reductions.

ECSB Pays the Lower Rate

Best Beginnings Child Care Scholarship payments are made at the CCR&R district rate or the provider's rate, whichever is lower. Child care providers report their current rates to their CCR&R. The CCUBS computer system compares the provider's rate to the district rate, and pays the lower of the two rates. Child care providers may not charge the State a higher rate than they charge the public.

Parents are responsible for any over-and-above or additional fees a provider may charge.

Provider Shall Report Rate Changes

Participating child care providers must report their current rates for private-pay families to the CCR&R. The rate change will be effective within 10 days. A change in provider type does not automatically result in a rate change for the provider.

Montana Department of
Public Health & Human Services

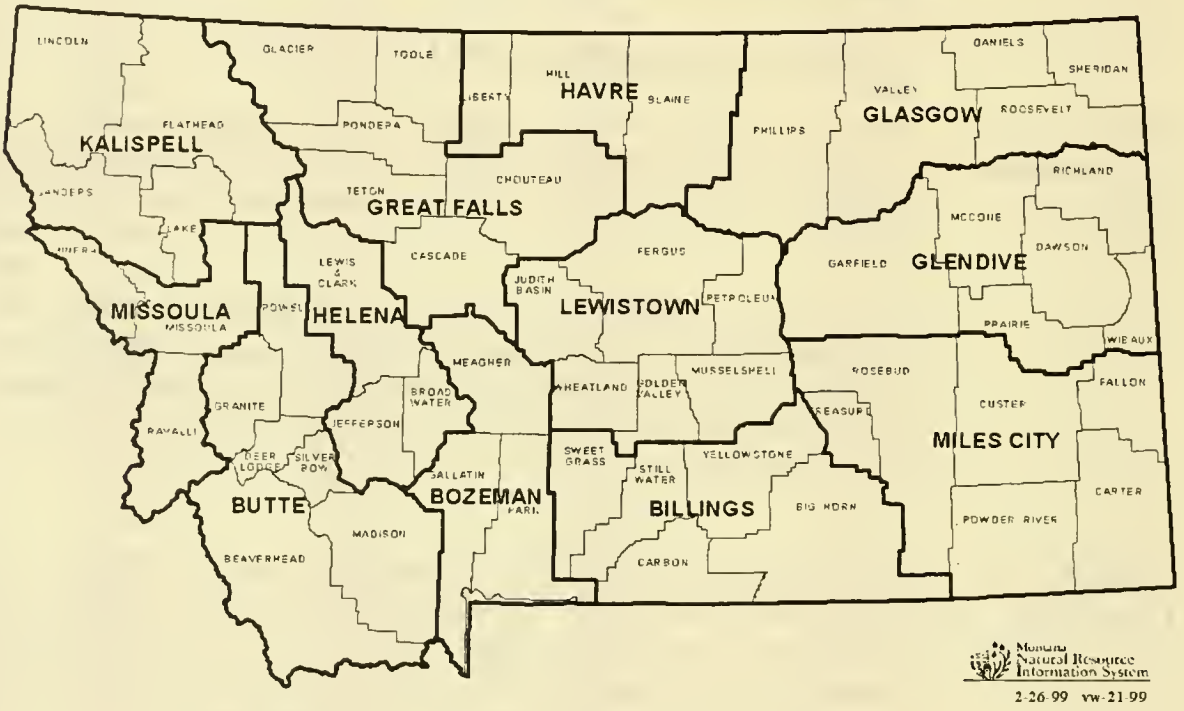
CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Provider Rates

Montana Child Care Resource and Referral Locations

Department of Public Health and Human Services



District Child Care Provider Rates

Currently, licensed and registered child care facility district rates are set at the 75th percentile of a September 2000 market rate survey. Rates are rounded to the nearest five cents ($0.05).

Since legally unregistered providers (LUPs) are generally not subject to market demands, LUP rates are set at 75% of the corresponding family rate survey.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Provider Rates

CCR&R District	Facility Type	Type of Care	Daily Rate	Hourly Rate
Billings	Center	Infant	$22.00	$3.75
Billings	Center	Age 2+	$17.25	$3.00
Billings	Family	Infant	$18.00	$2.50
Billings	Family	Age 2+	$16.00	$2.50
Billings	Group	Infant	$18.00	$3.00
Billings	Group	Age 2+	$16.00	$3.00
Billings	LUP	Infant	$13.50	$1.90
Billings	LUP	Age 2+	$12.00	$1.90
Bozeman	Center	Infant	$28.50	$3.90
Bozeman	Center	Age 2+	$22.00	$3.50
Bozeman	Family	Infant	$20.00	$3.00
Bozeman	Family	Age 2+	$18.00	$3.00
Bozeman	Group	Infant	$20.00	$3.50
Bozeman	Group	Age 2+	$20.00	$3.40
Bozeman	LUP	Infant	$15.00	$2.25
Bozeman	LUP	Age 2+	$13.50	$2.25
Butte	Center	Infant	$17.05	$2.65
Butte	Center	Age 2+	$15.00	$2.50
Butte	Family	Infant	$18.00	$2.50
Butte	Family	Age 2+	$16.00	$2.50
Butte	Group	Infant	$17.00	$2.50
Butte	Group	Age 2+	$16.00	$2.50
Butte	LUP	Infant	$13.50	$1.90
Butte	LUP	Age 2+	$12.00	$1.90
Glasgow	Center	Infant	$18.00	$2.00
Glasgow	Center	Age 2+	$18.00	$2.00

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Provider Rates

CCR&R District	Facility Type	Type of Care	Daily Rate	Hourly Rate
Glasgow	Family	Infant	$16.00	$2.00
Glasgow	Family	Age 2+	$16.00	$2.00
Glasgow	Group	Infant	$15.90	$2.00
Glasgow	Group	Age 2+	$15.40	$2.00
Glasgow	LUP	Infant	$12.00	$1.50
Glasgow	LUP	Age 2+	$12.00	$1.50
Glendive	Center	Infant	$17.15	$2.15
Glendive	Center	Age 2+	$16.00	$2.00
Glendive	Family	Infant	$15.90	$2.00
Glendive	Family	Age 2+	$15.15	$2.00
Glendive	Group	Infant	$15.90	$2.15
Glendive	Group	Age 2+	$15.75	$2.00
Glendive	LUP	Infant	$12.00	$1.50
Glendive	LUP	Age 2+	$11.35	$1.50
Great Falls	Center	Infant	$24.00	$4.00
Great Falls	Center	Age 2+	$20.00	$3.15
Great Falls	Family	Infant	$16.00	$2.50
Great Falls	Family	Age 2+	$15.00	$2.50
Great Falls	Group	Infant	$17.00	$2.50
Great Falls	Group	Age 2+	$15.00	$2.50
Great Falls	LUP	Infant	$12.00	$1.90
Great Falls	LUP	Age 2+	$11.25	$1.90
Havre	Center	Infant	$17.50	$2.50
Havre	Center	Age 2+	$16.00	$2.50
Havre	Family	Infant	$16.50	$2.25
Havre	Family	Age 2+	$16.00	$2.00
Havre	Group	Infant	$18.00	$2.50

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview – Best Beginnings Child Care Scholarships

Subject:
Provider Rates

CCR&R District	Facility Type	Type of Care	Daily Rate	Hourly Rate
Havre	Group	Age 2+	$18.00	$2.50
Havre	LUP	Infant	$12.40	$1.70
Havre	LUP	Age 2+	$12.00	$1.50
Helena	Center	Infant	$20.50	$3.25
Helena	Center	Age 2+	$17.00	$4.00
Helena	Family	Infant	$17.25	$2.50
Helena	Family	Age 2+	$16.00	$2.50
Helena	Group	Infant	$16.15	$2.75
Helena	Group	Age 2+	$15.00	$2.50
Helena	LUP	Infant	$12.95	$1.90
Helena	LUP	Age 2+	$12.00	$1.90
Kalispell	Center	Infant	$19.00	$3.50
Kalispell	Center	Age 2+	$16.00	$2.60
Kalispell	Family	Infant	$16.00	$2.50
Kalispell	Family	Age 2+	$15.90	$2.50
Kalispell	Group	Infant	$18.00	$3.00
Kalispell	Group	Age 2+	$17.35	$2.75
Kalispell	LUP	Infant	$12.00	$1.90
Kalispell	LUP	Age 2+	$11.95	$1.90
Lewistown	Center	Infant	$17.75	$3.00
Lewistown	Center	Age 2+	$16.25	$3.00
Lewistown	Family	Infant	$17.00	$2.90
Lewistown	Family	Age 2+	$15.50	$2.40
Lewistown	Group	Infant	$16.50	$2.90
Lewistown	Group	Age 2+	$16.00	$2.65
Lewistown	LUP	Infant	$12.75	$2.20
Lewistown	LUP	Age 2+	$11.65	$1.80

CCR&R District	Facility Type	Type of Care	Daily Rate	Hourly Rate
Miles City	Center	Infant	$17.00	$2.60
Miles City	Center	Age 2+	$15.00	$2.20
Miles City	Family	Infant	$15.00	$2.00
Miles City	Family	Age 2+	$14.00	$2.00
Miles City	Group	Infant	$15.00	$2.25
Miles City	Group	Age 2+	$14.00	$2.00
Miles City	LUP	Infant	$12.00	$1.50
Miles City	LUP	Age 2+	$11.25	$1.50
Missoula	Center	Infant	$21.40	$3.00
Missoula	Center	Age 2+	$18.00	$3.00
Missoula	Family	Infant	$18.00	$3.00
Missoula	Family	Age 2+	$17.00	$2.75
Missoula	Group	Infant	$18.50	$3.10
Missoula	Group	Age 2+	$17.50	$3.00
Missoula	LUP	Infant	$13.50	$2.25
Missoula	LUP	Age 2+	$12.75	$2.05
State Rate	Center	Infant	$18.00	$3.00
State Rate	Center	Age 2+	$18.00	$3.00
State Rate	Family	Infant	$18.00	$2.75
State Rate	Family	Age 2+	$16.00	$2.50
State Rate	Group	Infant	$18.00	$3.00
State Rate	Group	Age 2+	$17.00	$2.75
State Rate	LUP	Infant	$13.50	$2.05
State Rate	LUP	Age 2+	$12.00	$1.90

Infant Care Rate

The infant care rates apply to infants from birth through their 23rd month. Rates for age 2+ apply beginning on the child's second birthday.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Provider Rates**

State Rate
➢

The State Rate indicated in the rate table is used when child care occurs in facility located outside Montana.

Children with Special Needs
➢

The rate for a child with special needs may vary, based upon the care requirements of the child. The rate is determined on a Special Needs Subsidy Rating Scale. Section 1-4a, of this manual, outlines the special needs rate application process.

The rate, for a child with special needs under CPS care, is requested by the Social Worker and must include documentation from a physician, psychologist, or licensed social worker. The special-needs child rate is subject to approval by the DPHHS community social work supervisor.

Tiered Reimbursement for Star Providers
➢

The star quality bonus that a provider receives under the Tiered Reimbursement program allows families to access a higher quality child care program. The additional 10-15% percent applies to the child's account, as far as the rate supports the child's access to high quality care. The facility is not entitled to bill over-and-above fees unless the facility's rates exceed the State Rate, including the 10-15% quality bonus. If the State rate, with the quality bonus, exceeds the facility's rates, the quality bonus supports the facility's quality programming and the parent does not receive a rebate from the quality bonus.

The Tiered Reimbursement program is detailed in section 7-1 of this child care manual.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Children with Special Needs**

Supersedes: **Child Care 1-4 (3/1/02)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98.20 – 47

Incorporated by reference in ARM 37.80.205 (6)

General Rule

Families of children with special needs are not placed on a waiting list, thereby guaranteeing a priority status for a child care scholarship. Child care providers are required to make a reasonable accommodation for children with special needs. If care requirements increase the cost of the care, one-time or ongoing costs may be paid from the Best Beginnings Child Care Scholarship.

Americans with Disabilities Act (ADA)

The Americans with Disabilities Act (ADA) requires that businesses (including child care providers) make "reasonable accommodations" in order to include individuals with disabilities in their place of business. Montana's new policy regarding special needs care and scholarship subsidy program must not supplant ADA requirements. Child care programs must first comply with the ADA, then access all other available resources and finally utilize the special needs scholarship enhancement.

Eligibility

Families must meet eligibility requirements for a Best Beginnings child care scholarship as described in section 1-8 of this manual.

CCR&R Referral Specialist's Role

1. Child Care Resource and Referral staff assists the family in determining eligibility and completing paperwork required in order to receive a Best Beginnings Scholarship. **As part of the initial eligibility determination process, the CCR&R staff determines if it is appropriate to apply for a special needs subsidy**. This determination

is based on:

1. The diagnosis of a disability,
2. The parent's description of the child's needs, or
3. Observation based on past difficulty maintaining a child care placement.

In order to qualify for the special needs subsidy, a child must require special modifications/accommodations in the child care setting and may or may not have an identified disability.

2. The CCR&R staff person and the family **Complete the Special Needs Subsidy Rating Scale** to identify the areas in which accommodations are required.

3. The CCR&R staff completes the **Scoring Worksheet** to determine the amount of additional special needs subsidy to be paid to the child care provider.

   NOTE: the Scoring Worksheet provides only provisional approval for the special needs subsidy rate. The amount calculated is entered into the CCUBS system for payment but is only approved for 60 days while the Child Care Plan is completed.

Individual Child Care Plan

The family, child care provider, and other professionals working with the child complete the Child Care Plan. This plan provides documentation of the child's needs, identifies required accommodations (and estimated costs), identifies additional resources which may be available, and suggests at least two individuals who could provide additional information if needed.

- If a child is receiving services from a Developmental Disabilities Service Provider/Child and Family Service Provider, a staff person from that agency should be included in the development of the Plan and the

Child Care Plan should be considered an addition to the child's Individual Family Service Plan (IFSP) or Individualized Educational Program (IEP).

- If the child is receiving special education services, a representative from the school should be included in the development of the Child Care Plan and it should be considered an addition to the child's IEP.

- If the child is not currently receiving early intervention or special education services, two things should occur.

  1. First, a referral should be made to the appropriate service provider to ensure that the family is aware of available services and that the child has access to these services.

  2. Second, the CCR&R staff person should assist the family in identifying a qualified professional who can participate in developing the Child Care Plan. This individual may be a physician, psychologist, social worker, or other professional who knows the child's needs and can provide documentation that special accommodations are required. This may mean some children would initially benefit from the special needs subsidies who do not have any documentation of need. These children may be considered on a case-by-case basis.

The Child Care Plan is then submitted to the CCR&R eligibility staff person **within 45 days of the start of the child care subsidy.** The CCR&R staff person will compare the Child Care Plan to the Rating Scale to be sure that the Plan supports the need for additional funds.

- If the Child Care Plan and the Rating Scale provide similar information, the special needs subsidy rate initially identified is approved.

- If the Child Care Plan does not identify accommodations that require

additional costs and/or there is no documentation for the child's needs, the provisional special needs subsidy amount is revoked. The family will receive the typical Best Beginnings scholarship that is identified for their CCR&R District, facility type, and age of child.

- If the documentation on the Child Care Plan indicates a need for accommodations that are greater than those indicated on the Rating Scale, the CCR&R staff person may make modifications on the Rating Scale to reflect these changes and increase the special needs subsidy amount.

Limits on Rate Approval Amounts

The CCR&R eligibility worker may approve a special needs subsidy rate of up to double the regular daily or hourly rate for the CCR&R district, type of facility, and type of care.

The Early Childhood Services Bureau may approve any request for a subsidy rate in excess of double the daily or hourly rate on a case-by-case basis.

Entering a Final Amount

The CCR&R staff person will enter a final amount into the CCUBS system for the special needs subsidy that will support the child care placement within 60 days of the initial approval.

One-Time Expenses

The Individual Child Care Plan may indicate that there is no need for ongoing subsidy support however there may be one-time expenses which will be required in order for the child to be successfully enrolled in a child care program. These costs might include a physical modification, positioning devise, special training, or other cost that is unlikely to be required on an ongoing basis.

One-time payments may cover the cost of accommodations that go beyond the "reasonable accommodation" required by the ADA. All other resources need to

be accessed before this option can be authorized.

The child care special needs subsidy may be used to cover the cost of one-time payments up to $1,000 per child. The Early Childhood Services Bureau must approve any request for a one-time payment that exceeds $1,000 a case-by-case basis.
NOTE: Best Beginnings mini-grants may be used to support this need for parents who are not eligible for a Special Needs Subsidy.

DEPARTMENT OF
PUBLIC HEALTH AND HUMAN SERVICES

JUDY MARTZ
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PO Box 4210
HELENA, MT 59604-4210

August 19, 2004

TO: Child Care Manual Holders

FROM: Randy Haight
DPHHS ECSB

SUBJECT: Bulletin #2 - Child Care Manual
Place this bulletin at the beginning of section 1-5 in the Child Care Manual. This supercedes the sliding fee scale table in section 1-5.

Section: Child Care Manual Section 1-5
Subject: Child Care Sliding Fee Scale
Effective Date: September 1, 2004

The Montana Child Care Sliding Fee Scale has been recalculated, based on 2004 Federal Poverty Guidelines. Income thresholds on the scale have increased, providing an increase in service to families beginning in September 2004:

- A family may be eligible for a lower co-payment. (A family, who currently has a $10 co-payment, is not affected by this change.)
- A family may be eligible for a child care scholarship, if their income was slightly above the upper limit of the previous sliding scale.

CCR&R Eligibility specialists shall re-determine September 2004 eligibility for families who have co-payment that exceeds $10.

Please insert the September 1, 2004 Montana Child Care Sliding Fee Scale following this page.

Montana Child Care Sliding Fee Scale - Effective September 1, 2004

The monthly co-payment is a percentage of the family's gross monthly income (GMI).

FAMILY SIZE >	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Base Co-pay	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10	$10
95% FPG GMI	$989	$1,241	$1,492	$1,744	$1,996	$2,248	$2,499	$2,751	$3,003	$3,255	$3,506	$3,758	$4,010	$4,262	$4,513
3% Co-pay	*$30*	*$37*	*$45*	*$52*	*$60*	*$67*	*$75*	*$83*	*$90*	*$98*	*$105*	*$113*	*$120*	*$128*	*$135*
100% FPG GMI	$1,041	$1,306	$1,571	$1,836	$2,101	$2,366	$2,631	$2,896	$3,161	$3,426	$3,691	$3,956	$4,221	$4,486	$4,751
4% Co-pay	*$42*	*$52*	*$63*	*$73*	*$84*	*$95*	*$105*	*$116*	*$126*	*$137*	*$148*	*$158*	*$169*	*$179*	*$190*
105% FPG GMI	$1,093	$1,371	$1,649	$1,928	$2,206	$2,484	$2,762	$3,041	$3,319	$3,597	$3,875	$4,154	$4,432	$4,710	$4,988
5% Co-pay	*$55*	*$69*	*$82*	*$96*	*$110*	*$124*	*$138*	*$152*	*$166*	*$180*	*$194*	*$208*	*$222*	*$236*	*$249*
110% FPG GMI	$1,145	$1,436	$1,728	$2,019	$2,311	$2,602	$2,894	$3,185	$3,477	$3,768	$4,060	$4,351	$4,643	$4,934	$5,226
6% Co-pay	*$69*	*$86*	*$104*	*$121*	*$139*	*$156*	*$174*	*$191*	*$209*	*$226*	*$244*	*$261*	*$279*	*$296*	*$314*
115% FPG GMI	$1,197	$1,502	$1,806	$2,111	$2,416	$2,721	$3,025	$3,330	$3,635	$3,940	$4,244	$4,549	$4,854	$5,159	$5,463
7% Co-pay	*$84*	*$105*	*$126*	*$148*	*$169*	*$190*	*$212*	*$233*	*$254*	*$276*	*$297*	*$318*	*$340*	*$361*	*$382*
120% FPG GMI	$1,249	$1,567	$1,885	$2,203	$2,521	$2,839	$3,157	$3,475	$3,793	$4,111	$4,429	$4,747	$5,065	$5,383	$5,701
8% Co-pay	*$100*	*$125*	*$151*	*$176*	*$202*	*$227*	*$253*	*$278*	*$303*	*$329*	*$354*	*$380*	*$405*	*$431*	*$456*
125% FPG GMI	$1,301	$1,632	$1,964	$2,295	$2,626	$2,957	$3,289	$3,620	$3,951	$4,282	$4,614	$4,945	$5,276	$5,607	$5,939
9% Co-pay	*$117*	*$147*	*$177*	*$207*	*$236*	*$266*	*$296*	*$326*	*$356*	*$385*	*$415*	*$445*	*$475*	*$505*	*$535*
130% FPG GMI	$1,353	$1,698	$2,042	$2,387	$2,731	$3,076	$3,420	$3,765	$4,109	$4,454	$4,798	$5,143	$5,487	$5,832	$6,176
10% Co-pay	*$135*	*$170*	*$204*	*$239*	*$273*	*$308*	*$342*	*$377*	*$411*	*$445*	*$480*	*$514*	*$549*	*$583*	*$618*
135% FPG GMI	$1,405	$1,763	$2,121	$2,478	$2,836	$3,194	$3,552	$3,909	$4,267	$4,625	$4,983	$5,340	$5,698	$6,056	$6,414
11% Co-pay	*$155*	*$194*	*$233*	*$273*	*$312*	*$351*	*$391*	*$430*	*$469*	*$509*	*$548*	*$587*	*$627*	*$666*	*$706*
140% FPG GMI	$1,457	$1,828	$2,199	$2,570	$2,941	$3,312	$3,683	$4,054	$4,425	$4,796	$5,167	$5,538	$5,909	$6,280	$6,651
12% Co-pay	*$175*	*$219*	*$264*	*$308*	*$353*	*$397*	*$442*	*$486*	*$531*	*$576*	*$620*	*$665*	*$709*	*$754*	*$798*
145% FPG GMI	$1,509	$1,893	$2,278	$2,662	$3,046	$3,430	$3,815	$4,199	$4,583	$4,967	$5,352	$5,736	$6,120	$6,504	$6,889
13% Co-pay	*$196*	*$246*	*$296*	*$346*	*$396*	*$446*	*$496*	*$546*	*$596*	*$646*	*$696*	*$746*	*$796*	*$846*	*$896*
150% FPG GMI	$1,561	$1,959	$2,356	$2,754	$3,151	$3,549	$3,946	$4,344	$4,741	$5,139	$5,536	$5,934	$6,331	$6,729	$7,126
14% Co-pay	*$219*	*$274*	*$330*	*$386*	*$441*	*$497*	*$552*	*$608*	*$664*	*$719*	*$775*	*$831*	*$886*	*$942*	*$998*

Total Monthly Co-payment = Gross Monthly Income (GMI) x the percentage assigned to the income range, which is based on Federal Poverty Guidelines (FPG) or $10, whichever is greater.

The co-payments listed are minimums and correspond to the lowest level for each income range.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Fair Hearing Process**

Supersedes: **Child Care 1-6 (7/01/02)**

References: **Sections 45-6-301(4), 52-2-713, and 52-2-726, 53-4-611, MCA; Sections 11.2.201 – 220, 37.5.103, 37.5.307 ARM; 45 CFR 98.50 and .66**

Notice when State/CCR&R Reduce Benefits

If the State or Child Care Resource and Referral agency terminates or reduces the Best Beginnings Child Care Scholarship before the end of the certification plan, the parent and the provider must be mailed written notification of termination/reduction of the Best Beginnings Child Care Scholarship, at least ten (10) days before the termination date. The Best Beginnings Child Care Scholarship will continue for the notice period.

The certification plan end-date serves as written notice of termination of the Best Beginnings Child Care Scholarship. If a parent fails to re-certify, no additional notice must be given to either the parent or the provider.

The parent and the provider are responsible for notifying each other of any changes.

Reasons for Termination

Reasons for termination, reduction or denial of Best Beginnings Child Care Scholarships include, but are not limited to the following:

- The family does not meet Best Beginnings Child Care Scholarship eligibility requirements;
- The reason for child care changes;
- The family no longer needs child care;
- The parent voluntarily requests, by written notice, that Best Beginnings Child Care Scholarship be closed;
- The parent terminates training required for the respective Best Beginnings Child Care Scholarship;
- The parent is not using Best Beginnings Child Care Scholarship for appropriate activities;
- The child care provider no longer meets respective licensing,

registration, or legally unregistered provider qualifications;
- The child is over the age limit;
- The parent has been terminated from TANF or WoRC Programs;
- The CPS case plan or treatment plan no longer requires child care be provided.
- DPHHS or Child Care and Development Fund budget restrictions.

No Advance Notice for the Parent in these Situations

Prior written notification of termination of Best Beginnings Child Care Scholarships is not required in the following instances. The parent must give the CCR&R a copy of the notice of termination:
- The parent requests in writing to the child care resource and referral agency that Best Beginnings Child Care Scholarship be closed;
- The family's whereabouts is unknown (attempts to locate the family should be documented in the file).
- The child dies.

In the above three situations, certification for Best Beginnings Child Care Scholarship will terminate immediately without further notice to the parent.

Generally, the parent is responsible for any notice required by the child care provider. However, if the family's whereabouts are unknown and they have not notified the provider they terminating care, the CCR&R shall mail closure notice (10 days prior to the adverse action) to the child care provider. Provider payments may be honored up to the closure date.

Written Request for Fair Hearing

If the parent or provider contests an adverse action, the CCR&R shall inform the parent or provider of their right to a fair hearing. The DPHHS Fair Hearings Officer will send letters regarding the right to a formal administrative review. A DPHHS Central Office Best Beginnings Child Care Scholarship supervisor will conduct this review.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Fair Hearing Process**

Right to a Fair Hearing

Parents receiving Best Beginnings Child Care Scholarships have the right to a fair hearing when an adverse action is taken regarding their eligibility.

However, there is no right to a fair hearing if denial or termination of benefits is based solely on depletion of funds. Best Beginnings Child Care Scholarships are limited to amounts contained in the Child Care and Development Fund (CCDF).

Definitions

Adverse Actions, as defined in Section 37.5.304, ARM, include:

(a) a failure of the Department to provide a claimant an opportunity to make application or reapplication for benefits;

(b) a failure of the Department to act with reasonable promptness on a claimant's application for benefits;

(c) an action by the Department denying, suspending, reducing or terminating benefits of a claimant, or an action by the Department demanding repayment of or to recover an overpayment of benefits to a claimant;

(d) an action by the Department establishing conditions on the manner or form of benefits, including restrictive benefits or protective payments, or establishing conditions for the receipt of benefits, including a work requirement;

(f) an action by the Department to deny, suspend, reduce, revoke or terminate licensure, registration, certification or enrollment of a provider or to fail to renew certification, enrollment, licensure or the registration certificate of a provider who has applied for renewal;

(k) a determination that the Department intends to impose a lien upon the applicant's or recipient's real property pursuant to 53-6-171, MCA.

A request for fair hearing is any clear, written statement to DPHHS, or its agent, by the person denied a benefit stating that they want to present their claim to a higher authority. The request must be made within the time limits stated below, after receiving notice of the Department's adverse action:\

- 90 days – Parent, whose benefits are reduced or terminated
- 30 days – Provider, who has been notified of overpayment

- 10 days – Provider termination or denial (license, registration, or LUP)

Assisting the Claimant

The right to request a fair hearing must not be limited or interfered with in any way. Upon request, DPHHS shall assist the claimant in submitting the request for a fair hearing. The hearing officer shall provide information necessary for the claimant to prepare for a fair hearing.

If a CCR&R staff member receives a written request for a fair hearing, they should forward it as soon as possible to the following address:

Fair Hearing Officer
Department of Public Health and Human Services
P.O. Box 202953
Helena, MT 59620-2953
(406) 444-2470 Office
(406) 444-3980 FAX

Upon receipt of a request for a fair hearing, the hearing officer shall attempt to resolve the case within 20 days by scheduling an administrative review. The ECSB staff shall conduct the review and complete an Administrative Review Report (DPHHS-4). Both the reviewer and the claimant prior to submission to the hearing officer sign the Administrative Review Report.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Confidentiality**

Supersedes: **Child Care 1-7 (1/1/02)**

References: **37-80-103 ARM**
MCA 41-3-201, 41-3-205
Montana Constitution, Art II, Sections 9 & 10

General Rule

The Department of Public Health & Human Services (DPHHS), and its contractors, may share client information for purposes directly connected with the administration of the public assistance programs with other federal programs and certain entitled entities. Confidential information concerning the applicant or participant, without notice to or permission of the individual, may be provided and used for the following purposes:

- Reporting child abuse and neglect to the appropriate authority (MCA 41-3-205);
- Conducting child support activities;
- Conducting child care licensing activities;
- Establishing eligibility and administering (including audits, investigations, prosecutions, etc.) federal programs or federally assisted programs, which provide assistance (cash, in-kind, or services) directly to individuals based on need.

Requests for information about current or past participants, which do not meet the above criteria, must be submitted in writing to the ECSB:

Early Childhood Services Bureau
PO Box 202952
Helena, MT 59620-2952
444-2547 FAX

When there is a question about a breach of confidentiality, the Early Childhood Services Bureau will refer the request to the Office of Legal Affairs.

HIPAA

Federal Health Insurance & Accountability Act (HIPAA) Privacy Policy regulations were implemented by the Department and its contractors in April

2003. Child Care Resource and Referral agencies received training in HIPAA regulations and practices. CCR&Rs received HIPAA policy materials developed by the Department and the Early Childhood Services Bureau at that time.

As, contractors CCR&Rs are subject to HIPAA confidentiality policies. This includes training current and new CCR&R personnel in HIPAA regulations and practices.

Subpoenas

When a subpoena is served, the ECSB will refer the request to the Office of Legal Affairs. Send, or FAX, the subpoena to the Early Childhood Services Bureau.

Emergency Situations

When information is needed to provide emergency medical care, the information must be released. As soon as possible thereafter, the applicant or participant must be notified of the release of information.

Reporting Child Abuse & Neglect, A Statutory Requirement

MCA 41-3-201 [portions relevant to child care services]: When the professionals and officials listed in sub section 2 [below] know or have reasonable cause to suspect, as a result of information they receive in their professional or official capacity, that a child is abused or neglected, they shall report the matter promptly to the Department of Public Health and Human Services or its local affiliate [see "Where to Report . . ." below].

(2) Professional and officials required to report are:

(d) school teachers, other school officials and employees who work with children during regular school hours;

(e) a social worker, operator or employee of any registered or licensed day-care or substitute care facility, staff of a resource and referral grant program organized under 52-2-711 [the CCR&R network] or of a child and adult food care program, or an operator or employee of a child care facility;

(j) an employee of an entity that contracts with the department to

provide direct services to children. [i.e. Legally Unregistered Provider]

(3) Any person may make a report under this section if the person knows or has reasonable cause to suspect that a child is abused or neglected.

(4) (a) Except as provided in subsection (4)(b) or (4)(c), a person listed in subsection (2) may not refuse to make a report as required in this section on the grounds of a physician-patient or similar privilege.

(5) The reports referred to under this section must contain:

(a) the names and addresses of the child and the child's parents or other persons responsible for the child's care;

(b) to the extent known, the child's age and the nature and extent of the child's injuries, including any evidence of previous injuries;

(c) the facts that led the person reporting to believe that the child has suffered injury or injuries or willful neglect, within the meaning of this chapter.

MCA 41-3-203: Immunity from liability. (1) Anyone investigating or reporting any incident of child abuse or neglect under 41-3-201 or 41-3-202, participating in resulting in judicial proceedings, or furnishing hospital or medical records as required by 41-3-202 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed unless the person was grossly negligent or acted in bad faith or with malicious purpose or provided information knowing the information to be false.

Where to Report Child Abuse & Neglect

Child abuse and neglect may be reported in Montana by dialing the following toll free telephone number:

1-866-820-KIDS (5437)

If the child is in immediate danger,
call 911 or the local law enforcement agency.

Agency Personnel

Only qualified program employees, restricted from disclosing confidential information, shall conduct the required interviews.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Confidentiality**

NOTE: Non-program employees may conduct interviews or certify applicants when specifically allowed under federal regulation (e.g., federally declared disaster).

Contractors

Violation of Department policy confidentiality by a contractor may result in cancellation of that contract with the Department.

Through the contracting process, contractors agree to protect the confidentiality of any material and information concerning a participant provided under the auspices of the contract and are subject to the same confidentiality requirements as Department employees.

All materials and information, whether verbal, written, or otherwise provided to the contractor by the State or acquired by the contractor on behalf of the State will be regarded as confidential information.

Reasons for policy:
This policy is established to provide general information requirements regarding the safeguarding of participant information in all matters relating to the Department. The Department or its agents generally provides information which individuals request about themselves. This policy describes how individuals gain access to their own records as well as the procedures that the Department or its agents use to decide whether to release information about program participants upon request. Information, which cannot be associated with an individual's identity, is generally available for release to the public.

Volunteers

Volunteers or others, who are not employed by DPHHS or its contractors, may not determine eligibility. However, they may assist in related activities such as:

- Obtaining necessary information; and
- Helping applicants complete the application form.

Volunteers are restricted from disclosing confidential information.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Confidentiality**

CCR&R Practices

Child Care Resource and Referral agencies have the responsibility of maintaining confidentiality of family and provider information. Example of maintaining confidentiality in the CCR&R setting includes, but is not limited to, the following:

- The name, or any identifying information, of a family receiving service is not available in a public location.
- The CCR&R maintains confidentiality when a non-custodial parent requests the location of their children, without approval from authorities.
- An applicant's, or a participant's, personal information remains confidential when a child care provider inquires about eligibility.
- The CCR&R maintains confidentiality when a provider seeks the location of a previous customer.

Release to Child Care Licensors & Child and Family Services Investigators

Child Care Resource and Referral agency staff and child care providers shall release information relevant to child care licensing or child protective services investigations.

Release to Law Enforcement

Only the participant's address can be released to a federal, state or local law enforcement officer who presents a written request for information which includes the participant's name and specifies that the individual:

- is fleeing to avoid prosecution, custody or confinement for a felony, or;
- is violating a condition of parole or probation; or
- has information necessary for the officer to conduct official duties.

Release to Participant

The applicant/participant may review all information in the case file, which was considered when making the eligibility determination. Privileged information, such as the name of individuals who have disclosed information about the household without the household's knowledge or the nature or status of pending criminal prosecution, may be withheld. The agency must also make available,

without charge, the specific materials necessary for a household or its representative to determine whether a fair hearing should be requested or to prepare for a hearing.

Release to Others

Case file information may be released in situations other than those already described only if the head of the household, the spouse or other person authorized by the household provides a written authorization to release information which includes:

- the date the authorization expires, and;
- the name of the person or agency to whom the information will be released, and;
- information which can be released:
  - itemizing specific items;
  - items dated within a certain time frame; or
  - general release.
- and, a dated signature of the authorizing individual.

Authorization to Release Information DPHHS-HCS-101

The Authorization to Release Information (DPHHS-HCS-101) form is used to assist the applicant/participant in obtaining information necessary to determine eligibility. It explains the client's rights to confidentiality and gives the participant/applicant the option of authorizing the release of information or declining to authorize the release of information.

EXAMPLE: An applicant has been working and is unable to provide verification of current income. The CCR&R Eligibility Specialist should use the signed Authorization to Release Information (DPHHS-HCS-101) form to contact the employer and obtain verification of income to assist the applicant.

The authorization expires one year from the date of signature, so must be completed at application and yearly thereafter. The participant/applicant always has the right to rescind the authorization in writing. Because one cannot waive another individual's right to confidentiality, each adult household

member should be given the opportunity to review and sign the Authorization to Release Information (DPHHS-HCS-101) form.

Refusal to Authorize Release on HCS/CC-101

Signing the Authorization to Release Information (DPHHS-HCS-101) form is not a condition of eligibility. However, if the participant/applicant does not wish to sign the form it should be case noted that they were given the opportunity, refused and intend to provide eligibility related information without assistance.

Although a participant may not authorize a release of information, the CCR&R may contact the caseworker, which determines eligibility, when serving the family's child care needs in support of TANF, CPS or Full Day/Full Year Head Start programs. The information shall be limited to a need-to-know basis regarding the child care schedule required for the family. Refer back to the general rule for this section, 1-7.

EXAMPLE: A TANF participant may be self-conscious about FIA activities involving a drug rehabilitation program. CCR&R staff only need to know the hours of child care required by the family in order to set up a child care certification plan.

One Time Only Authorization to Release Information DPHHS-HCS-102

The One Time Only Authorization to Release Information (DPHHS-HCS-102) form is used for incident specific release of information on a case-by-case basis. The participant/applicant should be very specific about what information they are authorizing for release. Not every participant/applicant would need to sign the form. The participant/applicant sets the amount of time the authorization is in effect for and can rescind the authorization at any time in writing.

EXAMPLE: A CCR&R Eligibility Specialist may need to verify the extent of an individual's disability to determine the appropriate work requirement for the family. The participant could complete the One Time Only Authorization to Release Information (DPHHS-HCS-102) form and state the effective period.

Montana Department of Public Health & Human Services	Section: **Overview – Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Confidentiality**

Child Care Providers

Child Care Providers shall keep all information pertaining to the family confidential, except for the following circumstances where:

- All child care providers are mandatory reporters for suspected child abuse or neglect. These concerns shall be reported to the Department's Child Protective Services Intake Unit.
- Child care providers shall share information with Department child care licensing personnel.
- The provider shall share attendance information with the Department or the CCR&R, with regard to the child care scholarship program.
- A provider may provide documentation indicating service to subsidized families to qualify for related ECSB programs:
  - Child and Adult Care Food Program
  - Best Beginnings Provider Grant Programs
  - Child Care Licensing/Registration Programs

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Child Eligibility**

Supersedes: **Child Care 1-8 (1/1/02)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA; Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM**
45 CFR Part 98

General Rule

The child, the parents, and the child care provider must qualify to participate in the Best Beginnings Child Care Scholarship program. Child eligibility requirements are detailed next, in this section.

US Citizenship

Montana administers the Child Care and Development Fund through private non-profit Child Care Resource and Referral agencies. There is no requirement for such agencies to determine or verify US citizenship for children receiving Best Beginnings Child Care Scholarships.

Montana Residency – Child (& Parent)

To receive Best Beginnings Child Care Scholarships, the parent and the child must be living together in Montana.

CPS Exception: Montana foster care children who reside outside of Montana and need child care, may use Best Beginnings Child Care Scholarships.

Residency is established when the child and parent are living in Montana voluntarily with the intention of making a home here and not for a temporary purpose. A child is a resident of the state in which the parent, or person acting in loco parentis, is a resident. Residence does not depend on the reason for which the parent entered the state. The parent's written declaration of intent to reside permanently or seek employment in the state of Montana verifies the residency requirement. There is no durational requirement, such as having to reside in Montana for six months prior to obtaining a Best Beginnings Child Care Scholarship.

NOTE: Parents in the military, even though they may claim residency

in another state, are considered to meet the residency requirements for Best Beginnings Child Care Scholarship purposes, since they are employed and are here for more than a temporary purpose.

Child Must Live with Parent

The child must live with the parent, or the individual serving in loco parentis, applying for a Best Beginnings Child Care Scholarship on behalf of the child.

Child's Age

A child is eligible for a Best Beginnings Child Care Scholarship, under Child Care and Development Fund (CCDF), when the child meets any one of the following age categories:

- A child is eligible from birth through age 12.
- A child, who has special needs, is eligible through age 17.
  - The special needs must be verified by appropriate documentation from a physician, psychologist or licensed social worker.
- A child, who has special needs and is attending school (high school or equivalency program), is eligible through age 18.
  - The special needs must be verified by appropriate documentation from a physician, psychologist or licensed social worker.
- A child, who is under supervision of a court, is eligible through age 17.

Child's Relationship to Care Provider

Not every care arrangement qualifies for a Best Beginnings Child Care Scholarship. A child is NOT eligible for a Best Beginnings Child Care Scholarship if the child is related to the child's care provider in any of the following ways:

- The child's care provider is the child's parent
- The child's care facility is owned, entirely or in part, by the parent
- The child's care provider is a member of the child's TANF Cash assistance unit.
- The child's care provider is a member of the child's Best Beginnings Child Care Scholarship eligibility unit.

The child's household care provider may be a related household member, with the following restrictions:

- The relative caregiver, who lives with the child, must be related to the child in one of the following ways:
  - Aunt or Uncle
  - Grandparent
  - Great Grand Parent

  The relationship must be verified through birth certificates. No other household member qualifies as a child care scholarship caregiver.
- The relative caregiver is not part of the child's TANF Cash or Best Beginnings Child Care Scholarship assistance unit.
- The relative caregiver qualifies to be a legally unregistered, registered, or licensed child care provider.

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Parent Eligibility - Overview**

Supersedes: **Child Care 1-9 (1/1/02)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA;**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98

General Rule

The child, the parents, and the child care provider must qualify to participate in the Best Beginnings Child Care Scholarship program. Parent eligibility requirements are described here, in general terms, with detailed program requirements following in sections 2, 3, & 4 of this manual.

US Citizenship

US Citizenship is not determined by the Child Care Resource and Referral agency.

Montana Residency

Refer to "Child Eligibility" (1-8) for Montana residency requirements for the child and the parent, who must be living together in Montana.

Parent – Overview of Eligibility Categories

The Montana Department of Public Services (DPHHS) Early Childhood Services Bureau provides Best Beginnings Child Care Scholarships for parents participating in the following programs:

1. Families, who work and have a low income, earning less than 150% of the federal poverty guidelines (Non-TANF)
2. Families who receive TANF Cash assistance
3. Eligible tribal families, if they are not being served by their Tribal CCDF program.
4. Families participating in a Tribal TANF program, if their Tribal CCDF program is not serving them.
5. CPS families
6. Head Start Full Day/Full Year families.

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Parent Eligibility - Overview**

1. Non-TANF Parent Overview– ***See Section 2 for Details***

Best Beginnings Child Care Scholarships for low-income families whose income falls below 150% of the federal poverty guidelines:

- Low-income working families must meet one of the following minimum hourly work requirements each month:
  - 120 hours per month for two-parent families, or;
  - 60 hours per month single parent families, or;
  - 40 hours per month for single parent families, while the parent attends education/training full time.

  Best Beginnings Child Care Scholarships are provided for employment time and out-of-home classroom time, when attending school or training.

  Note: Disabled parents, who are not able to care for their children, are not included when determining the minimum hourly work requirement for the family.

- Disabled parents who work, but are not able to meet the minimum hourly work requirement each month, may be eligible for a Best Beginnings Child Care Scholarship only during employment time.

- Low-income teen parents (through age 19) attending high school, GED or an equivalency program do not have a minimum work requirement.
  - Child care is provided for out-of-home classroom time and employment hours.

2. TANF Cash Parents Overview – ***See "TANF Child Care . . ".for Details***

The local County Offices of Public Assistance determine eligibility for families seeking Temporary Assistance for Needy Families (TANF):

- Parent receiving TANF Cash assistance may receive a Best Beginnings Child Care Scholarship for employment and Family Investment Agreement (FIA) activities, which require child care. Parents negotiate FIA activities their OPA or WoRC Case Manager. Best Beginnings Child Care Scholarships are determined according to the family's need for child care while participating in the Family Investment Agreement.

3. Tribal CCDF Parents

Tribal families are dually eligible for child care subsidy under both Tribal Child Care Development Fund (CCDF) and Montana CCDF Best Beginnings Child Care Scholarship programs. Families, who:

- find they are not eligible for Tribal CCDF child care, or
- find their Tribal CCDF Child Care funding has been used, may apply for State CCDF Best Beginnings Child Care Scholarships through their district Child Care Resource and Referral Agency.

Tribal families must meet all of the eligibility requirements of the State CCDF Best Beginnings Child Care scholarship program. Parents must provide written verification their Tribal CCDF is not able to serve their family, before Montana CCDF Best Beginnings Child Care Scholarships will be approved.

4. Tribal TANF Parents

Montana's Child Care and Development Fund (CCDF) State Plan supports all TANF parents in the State. Both Tribal and Montana TANF families are guaranteed child care in support of Family Investment Activities (FIA) activities. Currently, the Confederated Salish & Kootenai tribes of the Flathead Nation and the Fort Belknap Indian Community are operating their own Tribal TANF program in Montana. Tribal TANF families who:

- find they are not eligible for Tribal CCDF benefits, or
- find their Tribal CCDF has been used, may apply for Montana CCDF Best Beginnings Child Care Scholarships through their district Child Care Resource and Referral agency.

A parent must provide written verification their Tribal CCDF is not able to serve their family, before a State CCDF Best Beginnings Child Care Scholarship will be approved.

5. CPS Child Care Eligibility Overview - ***See "Child & Family Services . . ." for Details***

DPHHS Child and Family Services Division (CFSD) social workers identify families in need of child care for protective services. Social workers evaluate the risk of child abuse and neglect in determining a family's eligibility for Best Beginnings Child Care Scholarships:

- A CFSD Social Worker determines eligibility.
- The child care provider may be selected by the Social Worker.
- No income eligibility requirement for families.

- No co-payment obligation for parents.

The Non-TANF CPS child care budget is limited. If a family is temporarily eligible for TANF benefits or eligible for Non-TANF child care, CPS child care needs may be served under either one of these Best Beginnings Child Care Scholarship options.

LUP Application Date

An individual, selected by the parent to serve as a Legally Unregistered Provider (LUP), must apply with the parent and pass the background checks. Like a parent, a LUP is not eligible for Best Beginnings Child Care Scholarships prior to their application date. An LUP applicant must turn in their application promptly to ensure the earliest possible Best Beginnings Child Care Scholarship for the family they intend to serve.

Child Care Certification Plan

When Best Beginnings Child Care Scholarships are issued, the parent and the child care provider each receive a copy of the child care certification plan. The following information is included on this notice:

- Each child's name
- The child care provider's name
- The hours of child care authorized
- The begin-date and the end-date of the Best Beginnings Child Care Scholarship
- The monthly co-payment due to the child care provider

Parents are responsible for re-certifying for Best Beginnings Child care Scholarships before their certification plan expires.

➢ Parents are responsible for notifying the CCR&R, within one (1) business day, when changing or adding a child care provider.

Limitation of Best Beginnings Child Care Scholarship

The Best Beginnings Child Care Scholarship hours approved must mirror the approved parent's and child's activities:

- Parent's work, school, & FIA activities requiring child care, allowing for travel time.
- The child's schedule, e.g., school, or alternative care arrangements

Best Beginnings Child Care Scholarships are not intended for respite care, unless services are provided under Child Protective Services.

➢ A parent may not provide reciprocal care for the sole purpose of meeting work program requirements or collecting scholarship payments. Parents in a reciprocal care arrangement must demonstrate that their schedules complement each other's need for child care.

For details, see "Issuing the Certification Plan" section 6-3 of this manual.

Overpayments May Result in Parent Ineligibility

➢ When a provider or a parent receives child care assistance in excess of the amount to which the provider or parent is entitled due to a willful action of the provider or parent, the department may pursue criminal charges against the provider or parent. Criminal prosecution may be pursued in addition to recovery of the overpayment.

- A willful action includes but is not limited to the making of a false or misleading statement, a misrepresentation, or the concealment or withholding of facts or information.

If a willful action results in an overpayment, the following will occur:

- The first willful action will result in a 10% assessment being added to the amount of repayment due and, if the provider is responsible, web invoicing privileges will be lost and copies of sign-in/sign-out sheets must be submitted with invoices for the following three months.
- The second willful action will result in a 25% assessment being added to the amount of repayment due and, if the provider is responsible, copies of sign-in/sign-out sheets must be submitted with invoices for the following six months.
- The third willful action will result in the household or provider

responsible being ineligible to participate in the child care development fund assistance, grant, and quality child care programs.

Other Child Care Options

Parents participating in Food Stamp & Employment job-seeking activities are not covered under the Best Beginnings Child Care Scholarship program. The parent's Food Stamp & Employment Case Manager may be able to help parents with child care expenses.

Parents may contact their local child care resource and referral agency to explore other child care subsidy options within their community.

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Child Care Provider Eligibility - Overview**

Supersedes: **1-10 (1/01/02)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA;**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98

General Rule

The child, the parents, and the child care provider must qualify to participate in the Best Beginnings Child Care Scholarship program. Child care provider eligibility requirements are outlined here, with detailed qualification and application processes following in Legally Unregistered Providers (6-2) and the Child Care Licensing Addendum from the Quality Assurance Division (8).

Parental Access to Child in Care

The provider must allow unlimited parental access to the parent's children and to the child care facility during normal hours of the facility's operation, whenever the children are in the provider's care.

No Discrimination

The child care provider may not discriminate against children based on race, national origin, ethnic background, sex, religion, or handicap.

Child's Relationship to Care Provider – Eligibility

Refer to "Child Eligibility" (1-8) to determine if a provider may serve as a child's caregiver while receiving a Best Beginnings Child Care Scholarship. The relationship of a qualifying provider who lives with the child must be verified through birth certificates.

Montana Department of Public Health & Human Services	Section: **Overview - Best Beginnings Child Care Scholarships**
CHILD CARE	Subject: **Child Care Provider Eligibility - Overview**

Providers Shall Maintain Their License, Registration or Payment Number

Parents may choose care provided in the following settings:

- Licensed Child Care Center *(details in QAD licensing addendum)*
- Registered Family or Group Home *(details in QAD licensing addendum)*
- Legally Unregistered Provider – LUP applicants must pass background checks before they are eligible *(see Legally Unregistered Providers)*
- Out-of-State Facilities who have obtained a "For-Payment-Purposes-Only" number from the QAD Child Care Licensing Program

  EXAMPLE: A parent and child are residents of Montana. The parent selects an out-of-state child care provider for their child, where the parent works.

  EXAMPLE: A Montana foster child living out-of-state may use CPS child care.

All child care providers, and their employees and substitute caregivers, must pass background checks to provide care under the Best Beginnings Child Care Scholarship program.

Providers Licensed by Another Entity

Out-of-jurisdiction providers must complete Montana's child care licensing paperwork and send a copy of their licensing/registration credentials. Once the Child Care Licensing Program determines that the licensing/registration criteria meet or exceed Montana standards, a "for-payment-purposes-only" number may be issued. Out-of-jurisdiction providers seeking approval to serve Montana families under a Best Beginnings Child Care Scholarship shall contact the DPHHS QAD Child Care Licensing Program:

DPHHS QAD Child Care Licensing Program
Becky Fleming-Siebenaler
PO Box 202953
Helena, MT 59620-2953
Office: (406) 444-7770
FAX: (406) 444-1742
bfleming@state.mt.us

Montana currently recognizes select providers in the following political boundaries:

- Child care providers located on an Indian reservation. Currently, most tribes invite the State of Montana to license/register their child care providers.
- Malmstrom Air Force Base, near Great Falls
- Wyoming (Group Day Care)

LUP Application Date

An individual, selected by the parent to serve as a Legally Unregistered Provider (LUP), must apply with the parent and pass the background checks. Like parents, LUPs are not eligible for Best Beginnings Child Care Scholarships before their application dates. An LUP applicant must turn in their application promptly to ensure the earliest possible Best Beginnings Child Care Scholarship for the family they intend to serve.

- If the LUP application is successful, payment may be made back to the date the LUP application was submitted to the CCR&R.
- If the LUP is not approved for payment, no payment can be made for the care provided.

Providers Shall Maintain Sign-in/Sign-out Sheets

All child care providers shall maintain current sign-in/sign-out records for each child receiving child care assistance and utilize them as follows:

- Each time the child enters or leaves the provider's care, the parent or other individual authorized to deliver or pick up the child shall initial or sign the sign-in/sign-out sheet. An electronic signature system may be used if it employs a unique and confidential identification process for individuals.
- Sign-in/sign-out records must indicate the child's name, the date, the hour, and the minute when the child enters and leaves the provider's care.
- The provider shall make sign-in/sign-out records available to child care resource and referral agency staff and state and local government health, safety, or law enforcement representatives upon request.
- The provider shall keep sign-in/sign-out records for five years beyond the date of attendance.

Providers Shall Bill for Actual Attendance within Limits of the Child Care Certification Plan

The provider's claim must be for actual care provided by the provider designated on the child care certification plan and subject to the limitations of continuity-of-care policies outlined in section 6-6 of this manual. The provider may not bill for care subcontracted to another individual or facility.

- The claim must indicate the child's actual attendance accurately, within one quarter hour. The provider's claim may be rounded to the nearest quarter hour of total daily attendance.
- The claim must be verifiable through the provider's sign-in/sign-out records as noted above.

Providers Shall Allow Access to Facility and Records

A provider's eligibility to receive state payment under a state assisted child care program may be terminated if:

- the provider willfully misrepresents services provided, with respect to sign-in/sign-out records, attendance billed on invoices; or
- the provider refuses access to the child care setting and child records during business hours to the following personnel:
- employees or other agents of state or local government, investigating child care services or child abuse or neglect;
- child care resource and referral agency personnel investigating child care services; or
- health, building, or fire officials investigating child care facility health and safety issues.

Providers Shall Submit Invoices Within 60 Days

Child care providers have 60 days to submit claims for services:

- Providers must submit invoices to their district CCR&R, or submit the invoice on the CCUBS Provider Internet Invoicing web page, within 60 days of the service month to be eligible for payment.
- If the child care certification plan is not available during the service month, the invoice, is due at the district CCR&R within 60 days following the provider's receipt of the invoice.
- If corrections or adjustments to a submitted invoice are necessary, they must be received by the CCR&R within the 60-day period prescribed.

Overpayments May Result in Provider Ineligibility

When a provider or a parent receives child care assistance in excess of the amount to which the provider or parent is entitled due to a willful action of the provider or parent, the department may pursue criminal charges against the provider or parent. Criminal prosecution may be pursued in addition to recovery of the overpayment.

- A willful action includes but is not limited to the making of a false or misleading statement, a misrepresentation, or the concealment or withholding of facts or information.

If a willful action results in an overpayment, the following will occur:

- The first willful action will result in a 10% assessment being added to the amount of repayment due and, if the provider is responsible, web invoicing privileges will be lost and copies of sign-in/sign-out sheets must be submitted with invoices for the following three months.
- The second willful action will result in a 25% assessment being added to the amount of repayment due and, if the provider is responsible, copies of sign-in/sign-out sheets must be submitted with invoices for the following six months.
- The third willful action will result in the household or provider responsible being ineligible to participate in the child care development fund assistance, grant, and quality child care programs.

Substitute Provider Must Pass Background Checks

A substitute child care provider must pass background checks to maintain eligibility to receive a Best Beginnings Child Care Scholarship on behalf of a child in care. Parents have the option of selecting an approved provider and setting up another certification plan if an approved substitute is not available in the current setting.

Providers Losing Their Status Shall Notify Parents

Child care providers shall maintain their License, Registration, or Legally Unregistered Provider (LUP) status. If they lose their provider status for any reason, they shall immediately notify the Best Beginnings Child Care Scholarship families with children in their care. A Best Beginnings Child Care Scholarship is not paid to a provider who is not licensed, registered, or legally operating in the State of Montana.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Overview - Best Beginnings Child Care Scholarships

Subject:
Child Care Provider Eligibility - Overview

Provider Rights and Responsibilities
➢

Child care providers serving Best Beginnings Child Care Scholarship families shall periodically review and sign a "Provider Rights & Responsibilities" form. CCR&Rs shall file a signed copy for each provider serving a scholarship family. If the new provider has already signed, the CCR&R shall obtain a signed "Provider Rights & Responsibilities" at orientation.

When policies change, the ECSB will mail new "Provider Rights & Responsibilities" forms statewide. Meanwhile, CCR&Rs shall distribute the "Provider Rights & Responsibilities" to new providers as they become licensed, registered, or approved for payment under LUP status.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care Eligibility**
CHILD CARE	Subject: **Application Process**

Supersedes: **Child Care 2-1 (1/1/02)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA; Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM;**
45 CFR Part 98.20 – 47

General Rule

A family may apply for a Non-TANF Best Beginnings Child Care Scholarship in person, by mail, or by fax through one of the Child Care Resource and Referral (CCR&R) agencies within the state. If the applicant is eligible and there is no waiting list, the eligibility begin-date is established when the CCR&R receives a completed application.

A family participating in the TANF Cash program may apply for Non-TANF, if the family believes that a Non-TANF Best Beginnings Child Care Scholarship will alleviate the need for the TANF Cash benefit.

NOTE: Some local charitable organizations and churches may offer stopgap child care subsidies while families wait for a Best Beginnings Child Care Scholarship. This stopgap subsidy does not preclude the family's eligibility for child care scholarship by eliminating the need for care, if the stopgap subsidy is designed to end when a child care scholarship becomes available.

Eligibility Begin-Date

The Best Beginnings Child Care Scholarship eligibility begin-date is the date the completed application demonstrates eligibility, including the need for child care due to the parent's activity hours.

EXAMPLE: A family submits an application that shows all household members' demographic data, current income, need for care, and compliance with Child Support. The application date will be the date the application was received at the R&R. Eligibility will be determined when all supporting documentation is received.

EXAMPLE: A family submits an application that is incomplete, not supplying required information. The application date is the date the application was received. This application is entered into CCUBS and

denied.

EXAMPLE: A family submits an application that shows all household members' demographic data, current income, need for care, and compliance with Child Support. However, the need for child care (employment or school attendance) begins on a future date. When need for child care is documented, the application date will be the date that the family is eligible and has a need for child care. The application may be entered into CCUBS using the date received with the understanding that a new case event will be created with a new application date that matches the date the family demonstrates eligibility.

The application date in CCUBS is an enterable field. Eligibility specialists should enter the later date. The date that the application was received in the CCR&R or the subsequent date the family has a demonstrated need for care. The application date cannot be a future date.

Gathering Information

Information needed to prospect the family's eligibility is gathered from application materials and by interviewing the parent(s). Use investigative interviewing skills, such as asking if a reported change is expected to continue, and look for a pattern of overtime pay to gather complete information:

- Prospecting Household Composition:
  - Who is related by marriage or parentage?
  - Is a natural or adoptive parent absent?
  - Is child support ordered, through a court or CSED?
  - Are household changes anticipated? If so, when?

- Prospecting Income Eligibility:
  - Type of job?
  - Nature of the job (e.g., seasonal, on call, sporadic, contingent on weather conditions, etc.)?
  - Rate of pay?
  - How often paid/receive income?

- Number of hours worked per week.
- Do hours fluctuate?
- Is overtime pay a regular occurrence?
- Do the children have income?
- Is child support received?

- Prospecting Household Activity Eligibility:
  - Working the minimum hourly requirement?
  - Parent available to care for child(ren)?
  - Parent(s) attending approved school/training?
  - Child(ren) in school?

If the parent anticipates changes in household membership, or the reason for child care, set the length of the child care certification plan to end when the household change occurs. Once income eligibility is correctly determined, income fluctuations alone will not change eligibility for the duration of the child care certification plan.

Information provided by the family must be verified with corroborative documents and/or statements from third parties (i.e., employers, landlords, relatives, etc.). If needed, the CCR&R provides assistance in verifying family information.

⇒ Case-note the eligibility determination and verification process.

Application Process:

The parent completes the following application process to receive Best Beginnings Child Care Scholarship:

Parent

1. The parent contacts the district CCR&R agency. The agency provides the following information to the family:
   - Best Beginnings Child Care Scholarship application and benefit information (e.g. Child Care Scholarships brochure DPHHS-HCS/CC-009)
   - Information on selecting quality child care.
   - Information on child care resource and referral services.

Timely Processing – 30 days

2. At application, the parent completes the following forms and returns them to the CCR&R office by appointment or by mail. The Best Beginnings Child Care Scholarship Application (DPHHS-HCS/CC-010) is valid for 30 days from the application date.

   EXCEPTION: The applicant may receive one 15-day extension to submit required documentation in the possession of a third party, provided the applicant submits a request for extension before the expiration of the 30-day application period.

   ⇒ Case-note the extension of the application period.

The CCR&R date-stamp establishes the application-received date, which marks the beginning of the application period. If the application materials are not complete in the time allotted, the CCR&R shall make the eligibility determination. If the Best Beginnings Child Care Scholarship is denied because the applicant fails to provide the necessary information, the CCR&R Eligibility Specialist shall document the facts in case notes.

a) Best Beginnings Child Care Scholarship Application (DPHHS-HCS/CC-010). The CCR&R date-stamps the complete application when it is received. A complete application includes, but is not limited to the following:
   - Names of all household members
   - Social Security Numbers of all household members
   - Birth date of all household members
   - Address of head-of-household
   - Income (may be estimated)
   - Activity hours, demonstrating the need for child care (may be

estimated)
- ❑ Child support compliance
- ❑ Applicant signature, with date

b) Request for Work/Training Verification (DPHHS-HCS/CC-011) for each working household member, completed and signed by each employer. This form is also required for each adult attending school/training completed and signed by the training institution; and

c) Release of Information (DPHHS-HCS-101) Each adult in the household must complete this form at application time and at the annual re-verification.

d) Verify Social Security numbers and birth certificates of all eligibility household members.
NOTE: If OPA has entered this information into TEAMS, accept this information as verified. Do not require it again.

e) Verify child support for each child, cooperation with child support enforcement or grant good cause for not cooperating with child support with the Child Care Program – Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement (DPHHS-HCS/CC-019) form.

f) Tribal families, who are dually eligible for CCDF, must provide written confirmation that they are not being served by their Tribal CCDF program.

3. The parent and the provider complete the Child Care Service Plan Information (DPHHS-HCS/CC-015) form together, verifying child care arrangements, so the CCR&R has the information necessary to issue a child care certification plan.

CCR&R:

4. If the provider is a licensed/registered provider, the CCR&R office completes the child care certification plan, explaining the scholarship parameters to the parent and provider.

LUP Application Date

If the provider is not licensed or registered, an In-home Care and/or Legally Unregistered Provider Application for State Payment Only (DPHHS-HCS/CC-087) form must be completed by the provider and submitted to the local Child Care Resource and Referral (CCR&R) agency for approval before a child care certification plan can be completed. A Best Beginnings Child Care Scholarship cannot be provided before the receipt date of the LUP application.

⇒ Make a case note to document the specific case circumstances.
⇒ Date-stamp all application materials and verification documents.

Re-certification - Parent/CCR&R

5. Re-certification is conducted periodically, usually every six months. Certification plans may be shorter if the CCR&R Eligibility Specialist prospects a household change, which suggests household or activity requirements need to be evaluated sooner. CCUBS sends out a re-certification reminder notice six weeks before the end of the certification, reminding parents to re-certify. It is the parent's responsibility to contact the CCR&R for re-certification.

If families do not re-certify by the end of the certification date, no additional closure notice is mailed. The certification plan reminder and certification plan notice serve as a notice. Close the Best Beginnings Child Care Scholarship effective the certification end-date.

➢ Forms must be kept current, within one year old. If eligibility factors change, or a form will become over one year old during the new certification plan, the CCR&R Eligibility Specialist shall request updates for the following:

- Work/Training Verification (DPHHS-HCS/CC-011) form completed and signed by the employer and or training institution if the participant has either changed jobs, or it is a new school semester. If neither change has occurred, then a class schedule or wage stubs would

suffice.

- Best Beginnings Child Care Scholarship Application (DPHHS-HCS/CC-C10) form, if the household has changed.
- Release of Information (DPHHS-HCS-101) form, if adult members have moved in to the household.
- Verify receipt of court-ordered child support for each child, cooperation with child support enforcement or grant good cause for not cooperating with child support with the Child Care Program – Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement (DPHHS-HCS/CC-019) form.
- The parent must verify hours billed for the previous month. Parents must shall a copy of their Explanation of Benefits, verifying the accuracy of their provider's billing.
- At each recertification, the CCR&R Eligibility specialist shall compare the previous month's invoices to the Explanation of Benefits, to the parent's wage stubs, work schedules, school schedules, etc. to insure billing accuracy. If questions arise in the review, refer to "Invoice & Payment Process" (6-8) and "Corrections & Overpayments" (6-9).

CCR&R Business Processes

In order to ensure consistent application processing across the State, CCR&Rs will follow the following process when accepting Best Beginnings Child Care Scholarship applications.

1. Register the application on CCUBS.
2. Send letter to family requesting any necessary information be delivered within 30 days.
3. Set an alert to check the status of the application in 30 days
4. Determine eligibility by processing the completed application

Waiting List

When the demand for Non-TANF Best Beginnings Child Care Scholarships exceeds the resources, the Early Childhood Services Bureau (ECSB) maintains a statewide waiting list. The Early Childhood Services Bureau (ECSB) will select children from the Non-TANF waiting list, based on budget projections.

As a budget management strategy, the ECSB may serve families up to a specified level of poverty. Families participating in the Best Beginnings Child Care Scholarship may remain in the program up to the upper limits of the sliding fee scale, subject to change reporting and re-certification policies.

CCUBS will send a notice to families of selected children. The family must respond within the 10-day timeframe to re-determine eligibility and secure their child care scholarship.

The CCR&R shall close the following cases:

- Families who do not respond within the 10-day timeframe.
- Families who are determined ineligible, after being selected from the waiting list.

Priorities

A priority system is in place for Non-TANF Best Beginnings Child Care Scholarships. Families with children who have special needs are given priority and are not subject to the waiting list. Among other Non-TANF applicants, families with lower income, relative to family size, have higher priority:

- Families who meet a minimum monthly work requirement, and
- Teen parents attending high school, or equivalency programs.

If families are equally eligible, the family with the earliest eligibility begin-date will be given priority.

Begin-Date, When Selected From the Waiting List ➢

A Non-TANF child care scholarship may begin on the applicable date:

Full Waiting List – All families must wait until funding is available:

- If selected from the waiting list during the family's application month, the child care scholarship may begin on the application date.
- If selected from the waiting list after the family's application month, the child care scholarship may begin on the first of the month in which the family is selected from the waiting list.

Partial Waiting List – Families may enter the Best Beginnings Scholarship program if they are income eligible, under a specified level of poverty:

- If families are being served up to a specified level of poverty and the only delay involves waiting list processing which happens to cross the month end, an eligible family may begin a scholarship on the application date.

Waiting List Exceptions ➢

Exceptions for children with special needs and policy exceptions will be will be managed as they arise. To request an exception, make a case note on CCUBS and e-mail ECSB the following information with a request to remove the child(ren) from the waiting list:

- Child's Name
- Child's County
- CCUBS Case Number

Children With Special Needs ➢

Children with special needs, contact Lois Ennis and Dee Dee Heitz:

- Lois Ennis [lennis@state.mt.us] and
- Dee Dee Heitz [sheitz@state.mt.us]

'Special Needs' is defined in section 1-3, page 7 of the child care manual. A child may have 'special needs' status with respect to waiting list priority even though the 'special needs rate' is not applicable for the child.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care Eligibility**
CHILD CARE	Subject: **Application Process**

Policy Exception ➢

When unusual circumstances occurs, which create a non-TANF waiting list policy exception, e-mail Randy Haight:

- Randy Haight [rhaight@state.mt.us]

Examples of unusual circumstance include, but are not limited to the following:

- A non-TANF 'Application' date more than 30 days prior to the 'Status Date' on the CCUBS 'Program Funding Waitlist' screen
- Retroactive changes resulting from a fair hearing
- Worker error

Presumptive Eligibility ➢

When a waiting list is not in effect, families may be presumed eligible for the 30-day application period, while application information is verified. This provides the child care some assurance of payment for initial services. No overpayment is due, if the family is determined ineligible. Families seeking presumptive eligibility must submit the following:

- The complete Best Beginnings Child Care Scholarship Application (DPHHS-HCS/CC-010) form indicates the family is likely to be eligible.
- Each adult in the household submits an approved Release of Information (DPHHS-HCS-101) form.
- The parent and provider submit a completed Child Care Service Plan Information (DPHHS-HCS/CC-015) form.

CCR&R:

- ⇒ Setup a 30-day certification plan
- ⇒ If the verification process indicates the family is not eligible, send a copy of the denial notice to the provider.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care Eligibility**
CHILD CARE	Subject: **Household Requirements**

Supersedes: **Child Care 2-2 (7/1/01)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA**
Sections 37.78.215 (3), 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98.20 – 47

General Rule

As long as funding is available, Non-TANF Best Beginnings Child Care Scholarships are available to families who work and to teen parents whose gross income does not exceed 150% of poverty. Parents must have a need for child care and must receive court-ordered child support or maintain cooperation with child support for each child who has an absent parent:

- A Best Beginnings Child Care Scholarship is not available for parents to care for their own children.
- If a parent is available to care for the child, there is no need for a Best Beginnings Child Care Scholarship. However, a need may still exist if the available parent is unable to provide suitable care for the child(ren).
- If child care is available for free, there is no need for a Best Beginnings Child Care Scholarship.
- If child care is available to the parent at a reduced cost, the Best Beginnings Child Care Scholarship is based on the out-of-pocket expenses incurred by the parent.
- Parents may not concurrently care for each other's children to obtain a child care scholarship.

Depending on each household's reason for needing child care, child care certification plans for Best Beginnings Child Care Scholarships may extend up to six (6) months.

Household Membership

Eligibility is based on the income and activities of Non-TANF household members. Individuals living in the child's home may be 'required household members' or 'optional household members,' depending upon their relation ship to the child(ren) in care.

If the family chooses to include an optional household member, all eligibility requirements apply to the optional household member. Once the family elects to include an optional member individual, the optional member may not be removed from the eligibility household, unless the individual physically leaves the home.

Required Household Members, as related to the child(ren):

- Natural, adoptive parent or stepparent of an intact family, regardless of living arrangements
- Parent by common law marriage
- Parent joined by a common child
- Minor sibling, age 17 and under, including stepbrother, stepsister, half brother and half sister
- Child receiving Best Beginnings Child Care Scholarship
- Child receiving TANF Cash benefits, or other subsidy, as a member of the household

Optional Household Members, as related to the child(ren):

- Adult Sibling, age 18 and over
- Aunt or Uncle
- Grandparent
- Great Grandparent
- Parent's Significant Other

Generally Excluded Household Members, as related to the child(ren):

- Absent natural, adoptive parent or stepparent is generally excluded. If an absent parent maintains parental rights, child support requirements apply.

  Absent Parent, means a natural or adoptive parent, or stepparent who is separated or divorced from the child's residential parent, or who was never married to the residential parent. An absent parent does not share family income, resources, or obligations with their child's household, except by providing child support or alimony.
- Exchange Students

Household membership may be verified by corroborative information, such as rent receipts and statements from third parties.

EXAMPLE: The unmarried mother and father of an eligible child are living together. The father's 12 year-old son is also living in the household. All must be included in the household.

EXAMPLE: A mother, her 8-year-old daughter, her teenage daughter and the teenage daughter's child are living together. The teenager is attending high school. The teenager and her child may be considered a separate household from the rest of the family. However, if the mother wants child care for the 8-year-old sister, all members in the home may be considered as one household. The mother must meet the work requirements in order for the 8 year old to receive child care and the teenager must be attending high school or a GED program in order for her child to receive child care.

EXAMPLE: An unrelated man lives with a mother and her eligible child. The unrelated man is not a required household member. He may, however be included in the household if the family wants to include him. His income and his ability to care for the child(ren) are considered.

EXAMPLE: The father of an unborn child lives with a pregnant mother and her 3 year old child. The father of the unborn is not the father of the 3 year old. He is not a required household member until the child in common is born. He may be included before the child in common is born if the family chooses to include him. In which case, his income and his ability to care for the 3 year-old would be considered.

EXAMPLE: The husband of an intact family spends most of his time working and living out- of-state. He is a required household member.

Common Law Marriage

If a couple consider themselves married under common law, both are included in the household.

NOTE: A common law marriage has all of the same rights & duties as a ceremonial marriage. So, if the income and availability of a step dad,

married by ceremony is considered, then the same applies to a step dad married by common law. There is no "benchmark" at which a couple is deemed common law married. However, if they are holding them selves out as common law husband and wife, then they are common law married for all intents and purposes.

Joint Custody Arrangements

Parents who live apart, and divide residential time with their children, may each apply for Best Beginnings Child Care Scholarship, regardless of the percentage of time the children lives with each parent. Eligibility will be determined by evaluating the need of each application. If the percentage of time spent in each household changes, the parent will need to report the change to the CCR&R.

Prospecting a Temporary Absence from Household

Prospected absences, such as a change in residence for a child during the summer months, will provide parameters in determining the child care certification plan end-date. Eligibility and needs shall be evaluated when a household change is anticipated. Ask the family if household changes may occur during the next six months. Anticipate changes at semester breaks for household members attending school.

Remove a child's needs from the household if he/she is gone from their home for 30 days.

- If the children using the child care scholarship are absent from the household for 30 days or less, suspend the child care scholarship.
- If the children do not need child care for more than 30 days, close the child care scholarship.
- If one child, of two or more eligible children, in a household is gone for 30 days or more, remove the child's participation from the child care scholarship.

EXAMPLE: A mother and her two children, aged 3 and 7 live together. The 7 year old goes to his father's home in the summer and is gone from June 15th through August 15th. Remove the 7 year-old's needs for the month of July. Adjust the co-payment, for the month following the

change.

EXAMPLE: A mother and her 8-year-old daughter live together. In the summer, the child goes to visit her father from June 15 to August 15. Close the Best Beginnings Child Care Scholarship.

EXAMPLE: A teacher does not need child care during the summer months. Close the Best Beginnings Child Care Scholarship.

Unanticipated Change

An unanticipated household change shall be reported to the CCR&R within 10 days. See "Change Reporting" for more information.

Evaluating the Non-TANF Household

The CCR&R Eligibility Specialist evaluates the following factors in determining household eligibility:

- Need for Child Care - The ability and availability of adults to care for the child(ren).
- Financial Eligibility - The income of each household member, including children
- Minimum Hourly Work Requirement - The activities and schedule of each household member
- Any anticipated changes in the household, such as
  - A change in a parent's school/training schedule
  - A change in a child's school/training schedule
  - An anticipated change in the child's residence

Child Support Requirement

In Non-TANF Best Beginnings Child Care Scholarship households, where one or both of the child's parents is absent from the home, the parent, or guardian with whom the child resides, must cooperate in establishing paternity and obtaining court-ordered child support. There are three exceptions to this policy:

- In cases of single-parent adoption, or where the absent parent has terminated parental rights, the parent is not required to cooperate in establishing paternity or obtaining child support.

- An adult acting in loco parentis, as designated in a military parent's family plan, is not required to pursue child support while the child's parent is deployed. The military family plan substitutes for child support arrangements.
- The requirement of cooperation in establishing paternity and obtaining child support may be waived if good cause is shown. Good cause policy is outlined in detail later in this manual section.

CCR&Rs are not equipped or authorized to evaluate the adequacy of informal child support arrangements. Child support arrangements must be evaluated and approved, or recognized by the Montana district court system or the Child Support Enforcement Division of DPHHS.

Compliance with child support policies is a basic condition of eligibility for Best Beginnings Child Care Scholarship.

⇒ If the parent is not meeting the child support requirement, deny the scholarship, or close the scholarship with appropriate notice.

Child Support Verification

Families, who have an absent natural or adoptive parent, must verify one of the following:

- The parent receives child support payments, under a child support order recognized by a Montana District Court, for each child with an absent parent, or;
- The parent applies for services with DPHHS Child Support Enforcement (CSED) for each child for whom court-ordered child support is not received. Cooperation with DPHHS Child Support Enforcement must be maintained while receiving a Best Beginnings Child Care Scholarship.

  Note: If CSED determines that child support is uncollectible, the parent has probably satisfied the cooperation requirement.
- The parent demonstrates good cause for not cooperating with DPHHS Child Support Enforcement.

The Montana DPHHS Child Support Enforcement Division offers payment information online at https://app.discoveringmontana.com/csed/index.html

The site requires the child support case number and the parent's Social Security Number.

If a parent is not receiving child support and has good cause not to cooperate with CSED, the Notice of Requirement to Cooperate . . .DPHHS-HCS/CC-019 form may be used in the good-cause determination process. Good cause may be claimed at application time, or anytime during the child support collection process. Good-cause status is reviewed at each eligibility re-determination.

Parents dissatisfied with Child Support Enforcement Division determinations must appeal through CSED.

Incarcerated Parent(s)

If one parent of an intact family is incarcerated, a child support order is not required. The family should report when the incarcerated parent is released and when they return to the household.

If an absent parent is incarcerated, cooperation with child support policy is required.

If both parents are incarcerated, the family is not intact and a child support order is required for the person acting in loco parentis.

CSED Services

Child Support Enforcement information and applications are available by calling the CSED customer service unit at 1-800-346-KIDS (5437). CSED services include the following:

- Application materials
- Informational materials
- Establishing paternity
- Establishing child support orders for separated or divorced parents
- Parents receive a letter acknowledging application

Good Cause for Not Cooperating with Child Support Enforcement

Good cause for not cooperating with child support enforcement is determined by the CCR&R Eligibility Specialist. Parents receive a Child Care Program – Notice of Requirement to Cooperate and Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement (DPHHS-HCS/CC-019) form when applying for a Best Beginnings Child Care Scholarship.

The requirement of cooperation in establishing paternity and obtaining child support may be waived if good cause is shown. Good cause exists if one of the following circumstances exists, and as a result of that circumstance cooperation would be detrimental to the child:

- cooperation is likely to result in substantial danger, physical harm, undue harassment or severe mental anguish to the child or the parent;
- the child was conceived as a result of forcible rape or an incestuous relationship;
- the parent is planning to relinquish or has relinquished the child to a public or licensed social agency for the purpose of adoption;
- legal proceedings for the adoption of the child are pending before a court of competent jurisdiction;
- the parental rights to the child have been terminated by a court of competent jurisdiction; or
- any other situation that makes cooperation with child support requirements detrimental to the child.

A parent who claims to have good cause for refusing to cooperate must:

- provide evidence to substantiate the claim; or
- provide sufficient information to permit an investigation to determine whether good cause exists.

A child care scholarship will not be denied, delayed, or discontinued pending a determination of good cause for refusal to cooperate if the parent has complied with the requirements above. However, if it is ultimately determined that good cause does not exist and the recipient continues to refuse to cooperate, the department may recover child care scholarship amounts paid pending the determination of good cause.

In cases where good cause has been found, a review must be held at each re-

certification to determine whether there has been any change in circumstances such that good cause no longer exists.

The CCR&R will promptly notify the child support enforcement division of all cases in which it has been determined that there is good cause for refusal to cooperate in establishing paternity or obtaining child support.

A pregnant woman is required before the birth of her child to provide information about the father of her unborn child for establishing paternity and obtaining child and medical support after the child's birth.

The parent shall provide the child care resource and referral agency with the evidence needed to determine whether you have good cause for refusing to cooperate. (If the reason for claiming good cause is fear of physical harm and it is impossible to obtain evidence, the child care resource and referral agency may still be able to make a good cause determination after an investigation of the parent's claim.) When a parent or parents refuse to cooperate in establishing paternity or obtaining child or medical support, the family will be ineligible for a Best Beginnings Child care Scholarship.

Evidence to Support Good Cause to Not Cooperate with Child Support Enforcement

The following are examples of acceptable kinds of evidence the child care resource and referral agency can use in determining if good cause exists:

- Birth certificates, or medical or law enforcement records, which indicate that the child was conceived as the result of incest or forcible rape;
- Court documents or other records which indicate that legal proceedings for adoption are pending in court;
- Court, medical, criminal, child protective services, social services, psychological, or law enforcement records which indicate that the alleged or absent father might inflict physical or emotional harm to the parent or the child;
- Medical records which indicate emotional health history and present health status of the parent or the child for whom support would be sought; or written statements from a mental health

professional indicating a diagnosis or prognosis concerning the emotional health of the parent or the child;

- A written statement from a public or private agency confirming that the parent is being assisted in resolving the issue of whether to keep or give up the child for adoption; and
- Affidavit or notarized statement from individuals, including friends, neighbors, clergymen, social workers, and medical professionals who might have knowledge of the circumstances providing the basis of the parent's good cause claim.
- If the OPA Eligibility Case Manager has determined good cause, verify and accept the valid good cause determination.

Documenting Child Support

When there is an absent parent:

- ⇒ CCUBS must show verified child support income, or;
- ⇒ Case notes and case files must document the parent's application for, and cooperation with, child support services, or;
- ⇒ Case notes and case files must document corroborated good cause for not cooperating with child support, or;
- ⇒ Case notes and case files must document the absent parent has relinquished parental rights.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Non-TANF Activity Requirements**

Supersedes: **Child Care 2-3 (7/01/01)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98.20 – 47

General Rule

Parents qualifying for Best Beginnings Child Care Scholarships participate in one of these general activities:

- Employed, and meeting a minimum hourly requirement, or
- Employed and attending school or a training program, or
- A teen parent attending high school, GED, or equivalency program.

Detailed activity requirements for each category follow below:

Minimum Hourly Work Requirement

To be eligible for a Non-TANF Best Beginnings Child Care Scholarship, parents must be employed at paid, legal labor or self-employed, and meet a minimum hourly work requirement each month:

- Two-parent families shall work a minimum of 120 hours per month with either or both parents working any combination of hours.
- Single-parent families shall work a minimum of 60 hours per month.
- Single-parent families shall work a minimum of 40 hours per month while the parent attends school or training full time, based on the school's guidelines. (Single parents may attend part-time, if working 60 hours per month, as mentioned above.)

Examples of employment verification include the following:

- Wage stubs
- Work Verification forms (DPHHS-HCS/CC-011)
- Tax returns
- Business ledgers
- Work schedules
- Worker's Compensation Exemption (self-employed)

Initial Partial Month of Employment

The current month's income may be less than that anticipated in future months for the parent. A child care certification plan may be issued for the current month, based on the current month's income, and another certification plan may be issued for subsequent months, based on prospected income. This avoids an unnecessarily high co-payment during the parent's first partial month of employment.

Parent with a Severe Disability

There are two exceptions to the minimum hourly work requirement for a parent with severe disability:

1. A working parent who has a severe disability, which prevents them from meeting a minimum hourly work requirement, is not required to meet an hourly work requirement to qualify for Best Beginnings Child Care Scholarship for employment hours. All of the following restrictions apply:
   - A licensed physician, psychologist or psychiatrist must determine that the parent with a disability is unable to work the number of hours required to receive a Best Beginnings Child Care Scholarship.
   - The family must otherwise qualify for a Best Beginnings Child Care Scholarship.
   - If the parent does not meet the minimum hourly work requirement, they are not eligible for a Best Beginnings Child Care Scholarship during school/training time.

   EXAMPLE: A mother, who receives SSI and a child-only TANF Cash grant, may be able to work nine (9) hours each week. A Best Beginnings Child Care Scholarship may be available during her work hours. However, she would not qualify for a Best Beginnings Child Care Scholarship during for any post-secondary school/training hours.

2. A parent with a disability, who is unable to care for his/her child(ren), may have the work requirement waived. The following restrictions apply:
   - A licensed physician, psychiatrist, or psychologist must determine the parent to be unable to care for their child(ren).
   - The family must otherwise qualify for a Best Beginnings Child Care Scholarship.

- The able-bodied parent shall meet a single parent minimum hourly work requirement.

Employed and Attending School/Training

If the family meets the eligibility requirements for employment, #1 above, a Best Beginnings Child Care Scholarship may be available to parents attending post-secondary education, vocational training, high school or GED equivalency programs which will lead to a recognized occupation for which jobs exist within Montana. (Refer to Department of Labor information regarding employment in Montana.) All of the following restrictions apply:

- Parents must achieve satisfactory training progress as verified by the approved training institution. Satisfactory training progress can be verified through grade slips and/or fee receipts.
- Best Beginnings Child Care Scholarships are not available to pursue post secondary education above a bachelor's degree. Master's and doctoral students do not qualify for a Best Beginnings Child Care Scholarship.
- Best Beginnings Child Care Scholarships are not available to a parent if a post-secondary education degree or training certificate was received within the last five years.

  NOTE: A student who enrolls in a continuous four-year program, which happens to issue a two-year certificate or degree at the midpoint of the student's intended educational goal, is not subject to this five-year limitation.
- If the parent received the last post-secondary education degree or training certificate over five years ago, a Best Beginnings Child Care Scholarship may be allowed for a second certificate or bachelor's degree.

EXAMPLE: A participant received a Bachelor's Degree in Education in 1990. She was unable to find a teaching job in her field. In 1998, she returns to college to get certified in a second subject area. If she meets all other eligibility factors, a child care scholarship is available for both work and school hours.

EXAMPLE: A participant received a Bachelor's Degree in Education in

1990. She was unable to find a teaching job in her field. In 1998, she begins college to get a master's degree. She is not eligible for a child care scholarship during her post-secondary education hours, but she is eligible during work hours.

➢ EXAMPLE: A parent enrolls in a two-year college and received an Associate's Degree. The parent wants to attend a four-year institution to pursue a Bachelor's degree. The parent earned an Associate's Degree at a separate institution; therefore, the parent must wait five years to be eligible for a Beginnings Child Care Scholarship to pursue a Bachelor's degree.

Two exceptions apply to the work requirement for Non-TANF Best Beginnings Child Care Scholarship parents attending post-secondary education or short term training:

1. Post-secondary education students may find that clinical or student teaching requirements become a barrier to finishing school, while meeting the minimum hourly work requirement. The minimum hourly work requirement may be waived,

- temporarily (1 semester), for a,
- continuing student, who has a
- full time field experience (30+ hours/week), such as a clinical or student teaching, which is
- required for graduation.

If the specific criteria listed above do not meet a student's need, the CCR&R Eligibility Specialist may consult with the ECSB Child Care Policy Specialist on a case-by-case basis.

2. The work requirement may be waived during a period of short-term, full time training, which leads to a high probability of employment. All of the following restrictions apply:

- The training may last no more than six weeks.
- The training must be required for employment.
- The applicant shall provide a written training verification signed by the approved training institution.
- The applicant shall have a letter from a potential employer stating that

there is a high probability of employment upon completion of training.

Teen Parents

Teen parents who live with their parents and need the child care in order to attend high school, GED, or an equivalency program, may be eligible for a child care scholarship. The student parent's work requirement is waived while attending high school. The teen parent is considered a separate household, from their own parents, for the purposes of eligibility and co-payment determination. The teen parent must:

- be under the age of 20, and
- be attending high school, GED, or an equivalency program, and
- need child care to attend high school, and
- meet financial eligibility requirements, and
- pay a co-payment.

Teen parents intending to return to high school may receive a child care scholarship while working during breaks in the school schedule.

⇒ Use 'Working' as the reason for care.

Parents in their teens who do not attend high school are subject to work requirements.

⇒ Assess the need for child care

⇒ Waive the work requirement only for the teen parent who is attending high school

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Household Income**

Supersedes: **Child Care 2-4 (7/01/01)**

References: **45 CFR 98.20; 52-2-701 - 704; 52-2-713 MCA**
ARM 37.80.201 - 202

General Rule

➢ The gross income of all adult and minor household members is evaluated in determining household eligibility. Please refer to 'Household Membership' in Section 2-2 'Household Requirements', of this manual.

The gross amount of income expected to be available for current use, including unearned and earned income, unless specifically excluded, is counted.

⇒ All income, even if excluded by policy, must be entered in CCUBS to ensure proper eligibility processing.

Family Shall Obtain All Income

As a condition of eligibility, applicants must take necessary steps to obtain all income to which they are entitled, unless they can show good cause for not doing so. However, eligibility may not be denied if the individual did not make income information available because he/she was unaware of its existence and/or availability.

➢ EXAMPLE: A divorce decree/parenting plan indicates the absent parent shall pay child care until the residential parent is finished with school. Additionally, the absent parent shall pay 50% of the children's medical costs. Child support is specified separately. The residential parent shall pursue collecting child care and medical support from the obligor, which may not be collectable through CSED until a judgment is obtained.

All household income must be verified and summarized in case notes. The applicant's written or verbal statement alone is not verification.

⇒ State the type of verification and other pertinent information in Case Notes by answering the questions - who, when, what, and how.

⇒ View the document, enter the data in CCUBS, and return it to the applicant or participant. It is not necessary to keep a hard copy of the

verification in the case file.

⇒ If verbal verification is obtained from a collateral contact, document the contact in Case Notes by answering the questions - who, when, what, how.

Verifying Unearned Income

It is the applicant's responsibility to provide verification of his/her unearned income. This verification is not limited to, but may include, any of the following sources:

- Attorney Statement
- Bureau of Indian Affairs Records
- Cash Income Records from Rental Property, Farm Produce, Boarders-lodgers, etc.
- Child Support Enforcement Division
- College and University Financial Aids Records
- Correspondence on Benefits
- Correspondence on SSA Benefits
- County Clerk of the Court Records
- Divorce Decree (may include child support, medical support, child care, alimony)
- Financial Institution Records
- Income Tax Record - State & Federal
- Insurance Company Records
- Lodge, Club, or Fraternal Organization Record
- Parenting Plan (may include child support, medical support, child care)
- Pension Award Notice
- Personal Records of Contributions--Money orders or, canceled checks,
- Railroad Retirement Award Letter
- Recipient's statement from person making a contribution (a current child support order is required for child support payments)
- RSDI Benefit Check or Award Letter
- Social Security Administration Bendex interface (TEAMS)
- Social Security Administration Records
- Unemployment Compensation Award letter
- Union Records
- Veteran's Administration

- Veteran's Administration Award Notice
- Workmen's Compensation Benefits Award Notice
- Workmen's Compensation Records

Earned Income

The term earned income encompasses cash or in-kind income earned by an individual through the receipt of wages, salary, commissions, or profit from activities in which he is engaged as a self-employed individual or as an employee. Earned income is measured as gross earned income before any deductions such as FICA, taxes, garnishments, and cafeteria plans, etc., the individual receives. It includes earnings over a period of time for which settlement is made at one given time, as in the instance of sale of farm crops, livestock, or poultry, or logging.

With reference to commissions, wages, or salary, earned income means the total amount, irrespective of personal expenses, such as income tax deductions, lunches, and transportation to and from work, and irrespective of expenses of employment which are not personal, such as the cost of tools, materials, special uniforms, or transportation to call on customers.

Verifying Earned Income

It is the applicant's responsibility to provide verification of his/her earned income. The applicant's income and work schedule shall be provided to the CCR&R on the Release of Information/Request for Verification (DPHHS-HCS/CC-011) form. If the employer refuses to complete the form or if the work schedule is variable, CCR&Rs may corroborate the parent's statement with the following information:

- Bookkeeping records
- Child support receipts
- Employer's payroll records
- Employer`s verbal/written statement of earnings
- Employment service records
- Income tax returns - state/federal
- Provider statements for dependent care expense
- Receipts for work-related expenses
- Sales/services receipts

- State Department of Revenue
- Tax statements
- W-2 forms
- Wage/salary stubs

Self-Employment

Self-employment is the act of engaging in a trade or business, except as an employee. A trade or business is generally an activity carried on for a livelihood or in good faith to make a profit. However, business losses may not be used to offset income earned as an employee.

The individual does not need to actually make a profit to be in a trade or business as long as a profit motive exists. Evaluating the regularity of activities and transactions and the production of income usually indicates this motive. Self-employment activities must be corroborated when using self employment work time to meet the minimum hourly work requirement.

Accept the participant's statement that he/she had no self-employment earnings during the relevant months, unless there is evidence to the contrary.

➢ Self-employment businesses typically include the following:

- Sole Proprietorships, where the owner receives the profits.
- Partnerships, where profits a distributed among partners.
- S-Corporations, where profits flow through the corporate structure to the shareholder/owners.

Corporations are a business entity, where the corporation receives the profits. Individuals working for corporations are considered employees, although some individuals doing work on behalf of the corporation may be self-employed. For example,

- Board Member, who receives payment only for board activities.
- Independent Contractor
- Independent Consultant

Employee or Self-Employed?

An individual is not self-employed if performing services that can be controlled by an employer. If an employer-employee relationship exists (no matter what the relationship is called), the individual is not self-employed.

The source of the income and the individual's involvement in the activity from which the income is generated will determine whether it is self-employment income.

EXAMPLE: Income from rental property, including roomer/boarder income, is self-employment income unless all activities are conducted by an outside agency. If an outside agency, such as a Realtor, conducts all activities involved in renting property, the proceeds are treated as unearned income.

EXAMPLE: An individual is engaged in fixing televisions and radios in his spare time. He has a shop, equipment, and tools. He advertises his business. This individual is considered self-employed in a trade or business.

Self-Employment Income

The dollar amount of gross self-employment income is determined by using as many sources as necessary to determine gross income and expenses, such as the following:

- Tax returns or business records which cover the relevant period,
- Participant's statement of estimated earnings,
- Receipts for business expenses,
- Receipts for goods and services provided, and
- Signed statement from bank.

⇒ Enter NET self-employment income in CCUBS.

EXAMPLE: Mrs. Stevens is self-employed as a sales representative. Her gross receipts for the month are $200. She claims as business expenses the wholesale price of the items she orders and expenses for 50 miles of transportation. Policy allows a flat rate per mile for business-related travel, and Mrs. Stevens does not document higher expenses.

Gross receipts = $200, retail price of items sold

Business expenses = $80, wholesale price of items ordered

Transportation cost = $18, to make sales and deliver orders (miles times the state rate per mile)

Calculation of Gross Self-Employment Income:
$200 -- Gross receipts
-98 -- Business expenses
$102 -- Net Self-Employment Income

Determining Business Expenses:

With respect to self-employment, earned income means the total profit from business enterprise, farming, etc., resulting from a comparison of the gross receipts with the business expenses, i.e., expenses directly related to producing the goods or service and without which the goods or services could not be produced.

Allowable business expenses are subtracted from the gross receipts to determine net self-employment income. Allowable expenses must directly relate to the production of income. If an expense is incurred for the business and for personal purposes, it must be divided proportionately.

EXAMPLE: If the home is used in the business, expenses can be deducted only for that part of the home that is used both regularly and exclusively for the business.

The following expenses are not allowable as a deduction when determining eligibility:

- Expensed derived from capital investments
  - Depreciation (generally derived from equipment, buildings, and building improvements)
  - Schedule 179 Expense Deduction (generally equipment)
  - Amortization (generally derived from land, business start-up costs, organizational costs for partnership or corporation)
  - Depletion (generally derived from mineral property or standing

timber)
    - Business Start-up Costs - The cost of starting a business is not allowed as an expense for eligibility purposes. The IRS considers start-up costs a capital expense and allows the business to amortize the expense over a period.
    - Personal and entertainment expenses are not an allowable deduction for eligibility purposes. These expenses should not be found on a tax return.
- Payments on the principal portion of loan payments used to purchase capital assets or durable goods. (The interest portion of the loan is an allowable expense.)
- Personal expenses should not be claimed as business expenses
    - Personal business and entertainment expenses
    - Personal transportation

A business typically has many different kinds of costs during the year. Some of these costs are counted as part of the investment in the business. They must be "capitalized", are not allowable business expenses, and are known as **capital expenditures or capital expenses.** Generally, three kinds of costs must be capitalized:

1) **Going into business**. The costs of getting started in a business, before actually beginning business operations, are all capital expenses. This may include the cost of such things as advertising, travel, utilities, repairs and employees' wages. These are often the same kind of expenses that could be deducted if they occur after the business is opened.

2) **Business assets.** The cost of any asset that will be used in the business for more than one year is a capital expense. There are many different kinds of business assets - for example, land, buildings, machinery, trucks, books, furniture, patents, and franchise rights.

3) **Improvements.** The costs of making improvements to a business asset are also capital expense, if the improvements add to the value of the asset, appreciably lengthen the time it can be used, or adapt it to a different use. However, normal repair costs are deducted as business expenses and not

capitalized. Examples of improvements are new electric wiring, a new roof, new floor, new plumbing, bricking up windows to strengthen a wall, lighting improvements, asbestos abatement and abatement of hazardous substances.

To distinguish between capital expenses and allowable expenses, several different examples are discussed below.

Business motor vehicles. The cost of a motor vehicle purchased to use in the business is usually capitalized. Its cost can be recovered through annual deductions for depreciation. Depreciation is NOT an allowable business expense under program policy.

NOTE: Repairs made to the business vehicle are allowable expenses. However, amounts paid for reconditioning and overhaul of business vehicles are capital expenses.

Roads and driveways. The cost of building a private road on the business property and the cost of replacing a gravel driveway with a concrete one are capital expenses which may be able to depreciate. The cost of maintaining a private road on the business property is allowable as an ordinary and necessary business expense.

Tools. Amounts spent for tools used in the business are deductible expenses if the tools wear out and are thrown away within one year from the date of purchase.

Machinery. The cost of replacing short-lived parts of a machine to keep it in good working condition and not to add to its life is allowable as an ordinary and necessary expense.

Heating equipment. The cost of changing from one heating system to another is a capital expense and not a deductible expense.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Prospective Budgeting**

Supersedes: **Child Care 2-5 (7/1/01)**

References: **45 CFR 98.20; 52-2-701 - 704; 52-2-713 MCA**
ARM 37.80.201 - 202

General Rule

Eligibility is based on the anticipated income anticipated in future months. Prospected income is applied to future scholarship months. Prospected income is applied to the current month only when it applies to a new application.

The current month's income may be less than that anticipated in future months. A child care certification plan may be issued for the current month, based on the current month's income, and another certification plan may be issued for subsequent months, based on prospected income. This avoids an unnecessarily high co-payment during the parent's first partial month of employment.

Assuming income eligibility is prospected correctly, income fluctuations will not affect eligibility during the current certification plan. If eligibility is determined with incorrect information, the CCR&R Eligibility shall proceed with correction process.

Verify Income

Information provided by the applicant/participant must be verified with corroborative documents and/or statements from third parties (i.e., employers, CSED, etc.). If needed, assistance is provided.

⇒ Case note the eligibility determination and verification process.

Prospecting Income

To prospectively budget countable monthly income, use one or a combination of the following methods:

1. **Anticipating-** used when none of the other methods are allowed or appropriate.

   Note: The **13 week calculation** is only used for income received monthly or semi-monthly (received twice a month with set pay dates,

i.e. 1st and 15th). It is not used if income is a set salaried amount.

2. **Factoring-** used for weekly or bi-weekly income

3. **Averaging-** used when there is a reliable history of income; sometimes used in combination with the factoring method.

4. **Annualizing-** used for contractual, self-employment or other income.

The method selected will depend on the frequency of the receipt of income and other related circumstances.

Actual Income

Actual income is used when:

- computing an overpayment;
- the income is for the month of application, and the income is from a new or terminated source, and the participant did not receive a full month of income.

NOTE: If all bi-weekly pay stubs are provided in the month of application, income must be factored even when they did not receive a third paycheck.

Anticipating Income Method

Anticipating monthly countable income method is used when no other budgeting method is allowed or appropriate. Use this budgeting method when:

- A full month's income is not expected because the individual will not be working or getting paid for at least one pay period during the month (e.g., new employment, unpaid extended sick leave, or unpaid vacation); or
- Income is from a terminated source (e.g., lay-off or other job termination); or
- Income history is not reliable; or
- **Significant income change is expected** in the future (e.g., promotion, part-time to full-time or vice versa, additional job, transfer, etc.).

NOTE: When an expected income change is reported but information that is more detailed is needed, schedule a review, complete a desk audit, or set an alert for the time the change is expected. Allow time to incorporate the new information into the best estimate determination and still be able to give timely notice. Case note which budgeting method was used to prospect income for the case. Include the following:

1. When and how the CCR&R Eligibility Specialist learned of the expected change;
2. What the expected change will be (raise, new job, lay off, etc.);
3. The amount of the change and when it will happen **or** the nature of the change if it is not known but follow-up has been scheduled (review, desk audit, alert);
4. How the new Best Beginnings Child Care Scholarship was calculated (i.e., number of hours, rate of pay, days off, etc.); and
5. The verification used (e.g., employer statement).

13-Week Calculation

Anticipating income using a 13-week calculation can be used to determine the best estimate of monthly or semi-monthly income, which **does not have a reliable history to average** but is expected to continue for at least the next three months. This method is based on the fact that every three-month period contains 13 weeks. Multiply the average hours per week by hourly wage. Then multiply by 13 and divide by 3 months. <u>If income is a set salaried amount this calculation cannot be used.</u>

NOTE: Semi-monthly means received twice a month with set pay dates, (e.g., 1st and 15th).

EXAMPLE: On February 2, an employer statement was received which indicates an individual's work hours will increase to 40 hours per week. The wage will continue at $5.85 per hour and pay dates will continue to be semi-monthly on the 1st and 15th.

40 X $5.85 = $234/wk X 13 wks = $3,042 / 3 months = $1,014 per

month. The $1,014 would be used as the best estimate of monthly income. Case notes clearly document action taken including the above calculation.

NOTE: When either a reliable income history is reported or verification is received of salaried amount (a fixed amount per pay check independent of how many days are worked) income should be averaged instead of using the 13-week method.

EXAMPLE:On 08/10/98, Dolores provides an employer statement indicating she started working 08/08/98 and is paid twice a month on the 15th and the 30th for salaried employment (i.e., gross pay per pay period is $350). September Best Beginnings Child Care Scholarship is determined based on $350 X 2 = $700 per month.

13 Week Calculation Not Used

The 13 week calculation **cannot** be used if monthly or semi-monthly income is from:

1. A partial month of employment (i.e., the individual is not expected to work or get paid for at least one week of the month);
2. Employment which is not expected to last a full quarter (13 weeks);or
3. Salaried employment (monthly income does not fluctuate).

To determine the best estimate in the first two situations, actual days must be counted taking into consideration days off and paid-holidays instead of using the 13-week method. The best estimate for salaried employment is to average; multiply the 1st semi-monthly check by 2.

EXAMPLE: The application was received November 9th. Pay dates are the 5th and 20th with pay periods ending the 31st and 15th each month. The participant earns $5.95 per hour, averages 40 hours per week, is off on Fridays and Saturdays, and is paid for holidays. Income received in November is expected to be for ten 8-hour days (10 days X 8 hours = 80 hours X $5.95 = $476 for November).

December, January and February income can be determined using the 13- week method because full monthly income is anticipated each month.

Factoring Income

The Best Beginnings Child Care Scholarship program requires that income received weekly or bi-weekly (every two weeks) be factored. If there is a reliable history of income, it is a best practice to average and then factor.

NOTE: Child support income and legally obligated child support payments, can only be factored if truly received/paid on a weekly or bi-weekly basis.

When countable income is received **weekly** (e.g., every Friday) or **bi-weekly** (e.g., every other Friday), the income factoring method **must** be used to determine countable monthly income unless one of the factoring exceptions is met on page 8. If income fluctuates and verification of a reliable history has been provided, average to get a weekly or bi-weekly amount and then factor to get a monthly amount.

NOTE: If weekly or bi-weekly pay checks are provided for month of application, the checks must be averaged and factored even if they did not receive a 3rd or 5th check in the month of application.

1. To factor **weekly** income, the weekly income amount (actual or average) will be multiplied by **4.3** to determine a monthly amount; or
2. To factor **bi-weekly** (i.e., every two weeks) income, the bi-weekly income amount will be multiplied by **2.15** to determine a monthly amount.

EXAMPLE #1: Ginny started a new job working 40 hours per week at $6.50 per hour and is paid **weekly**. Ginny's monthly income is determined using 40 hrs X $6.50 = $260 X 4.3; $1,118 is her monthly factored income.

EXAMPLE #2: Grace works for the State of Montana. She works full time and earns $7.00 per hour. She is paid **bi-weekly**, every other Wednesday. She receives $560 gross income in each paycheck. Grace's monthly income is determined using $560 X 2.15; $1,204 is her monthly factored income.

⇒ Case note, stating the method and amounts used to determine income.

NOTE: It is not appropriate to factor hours separately from income. However, the order in which the calculation occurs does not matter.

EXAMPLE: 20 hours per week at $5.85 per hour and paid weekly: Either of the following are acceptable:

20 X 5.85 X 4.3 = $503.10
20 X 4.3 X 5.85 = $503.10

Factoring Exception

An exception to the factoring method for weekly or bi-weekly income occurs when the participant will not work for one full pay period (i.e., verification is provided that a participant will not be paid for hours normally worked such as unpaid sick leave due to scheduled surgery or unpaid vacation, etc.) In this situation, the anticipating budgeting method of counting actual days should be used to determine the best estimate.

NOTE: Days off and paid holidays must be taken into consideration.

⇒ Case notes must clearly document why weekly or bi-weekly income was not factored and details of how income was anticipated.

Averaging Income Method

Income averaging is used when there is a **reliable income history**. It is sometimes used in combination with factoring. Be sure to ask the applicant/participant if the average is **expected to continue** and case note. When averaging, look for patterns of overtime.

1. The CCR&R Eligibility Specialist and the participant must agree on:

a. a representative period of time;
b. the number of paychecks; and
c. the pay dates.

NOTE: Paychecks, which are agreed on as unusually high or low should be disregarded unless the trend is anticipated to continue into the prospective period.

NOTE: It is recommended that an employer statement rather than a client statement be used as verification.

2. Divide the total income received during the representative period by the number of pay dates in the period to determine an average amount per pay date.

3. If income is received:
   a. **monthly** or **semi-monthly**, multiply the average pay date amount by the number of pay dates in a month to arrive at the average monthly income.
   b. **weekly** or **bi-weekly**, multiply the average pay date amount by 4.3 (weekly) or 2.15 (bi-weekly) to arrive at the average monthly income.

NOTE: Do not average income when significant income changes are expected in the prospective period. Instead, use the anticipating income method, counting days in pay period etc.

4. Case note, stating the method used (averaging or averaging and factoring) to determine income eligibility, and:
   a. what the agreed upon representative period of time was,
   b. what information was used to calculate the average pay date amount (gross pay received pay date #1 + gross pay received pay date #2, etc. divided by the number of Pay dates used)

      NOTE: If certain paychecks were excluded in the averaging process, case notes must clearly document justifications.

c. whether the factoring method was used to set the monthly amount. (See factoring section for requirements and exceptions to the use of factoring.)

Annualizing Income Method

Annualizing income is used for contractual, self-employment or other income anticipated to cover a longer period of time. Divide an annual or contractual amount by the number of months the income is intended to cover.

NOTE: Do not use annualizing if significant income changes are expected in any months during the review period. Instead use the anticipating income method.

Case note, stating the method used to determine income eligibility, and:

1. the type of income (e.g., contractual, self-employment, etc.); and
3. the income amount used,
4. how the amount was determined (i.e. tax return, business logs, etc); and
5. the number of months the income is intended to cover.

EXAMPLE: Helen has a craft business that she operates out of her home. Her books indicate that she receives some income every month. She has no other source of income (earned or unearned). She indicates the income from this business is intended to support her year round.

Add all Helen's income from this business (minus allowable expenses) and divide it by 12 months to arrive at the countable monthly income.

Jan.	$ 300.00	July	$ 500.00
Feb.	$ 275.00	Aug.	$ 400.00
Mar.	$ 350.00	Sept.	$ 350.00
Apr.	$ 550.00	Oct.	$ 450.00
May	$ 600.00	Nov.	$ 950.00
June	$ 550.00	Dec.	$1100.00
	Total:		$6375.00

$6375 divided by 12 = $531.25/month

Additional Examples:

Averaging Semi-Monthly Income

Joe has been working for the same employer for two years. His hours fluctuate from week-to-week. According to Joe, he always works at least 20 hours and never more than 35 hours per week. Joe gets a paycheck on the 1st and the 15th of each month. He is paid $6.50 per hour. Joe is able to provide pay stubs for the last two months (February and March). He states that he expects the next three months (April, May, and June) will be very similar to the past two months in terms of the number of hours he will work.

Using the four pay stubs provided, average to arrive at an amount per pay period to use. Joe has agreed the paychecks are a best estimate for the prospective period.

Feb. 1st pay stub	49 hours	$ 318.50
Feb. 15th pay stub	42 hours	$ 273.00
Mar. 1st pay stub	47 hours	$ 305.50
Mar. 15th pay stub	55 hours	$ 357.50
	193 hours	$1254.50

$1254.50 divided by 4 equals $313.62 -- the average amount per pay period.

Multiply the average amount per pay period by the number of pay periods in a month to arrive at the average monthly income.

$313.62 X 2 = $627.24

13-Week Calculation

If significant changes were expected in the previous example, such as Joe receiving a raise to $6.75 and a change in hours, the anticipating method using the 13-week calculation would provide the best estimate.

EXAMPLE: Joe provides an employer statement indicating he will work an average of 27 hrs/wk and that his raise to $6.75 is effective March 16th. All hours on his April first check will be paid at the new hourly rate.
27 x $6.75 = $182.25 X 13 = $2369.25 divided by 3 = $789.75.

Averaging

If the only expected change in the previous example were an increase in hourly wage, the best estimate would be to multiply the average hours by the new rate of pay:
193 hrs divided by 2 mo. = 96.5 X $6.76 = 651.38

Note: Prospected income is less in the averaging example than in the 13-week calculation because averaged hours is less than the 27 used in the 13-week calculation.

Averaging and Factoring

In some situations a combination of methods is appropriate to arrive at the best estimate.

NOTE: Ongoing income received weekly or bi-weekly (every two weeks) must be factored unless it meets the exception on page 8.

Sam has been working for the same employer for six months. He has fluctuating income and is paid every Friday. The CCR&R Eligibility Specialist and Sam have agreed to use the actual income amounts that were received for the six weeks prior to the interview to determine his average weekly income:

Week 1:	$ 100
Week 2:	$ 150
Week 3:	$ 150
Week 4:	$ 200
Week 5:	$ 50
Week 6:	$ 200
Total:	$ 850

Average weekly income: $850 divided by 6 = $141.67
Factor the average weekly income $141.67 x 4.3 = $609.18

(609.18 is average monthly income)

NOTE: The $50.00 received the 5th week must be evaluated to determine if the trend is expected to continue. The check could be disregarded as an unusually low check if it is not expected to happen again in the prospective period. A case note must clearly document the justification for either disregarding or including the check.

Income Not Counted

There will be instances when income is not counted prospectively.

EXAMPLE: A household has no earned income. The household timely reports on July 2nd, using a change report form, that on July 5th a household member will start a job and the first paycheck will be received on July 20th. The job will end on August 5th, and the last paycheck will be received on August 20th.

In this example, July's earned income will never be counted. The household reported the income correctly. July's income could not be reasonably prospected, and therefore was not considered. August Best Beginnings Child Care Scholarship was determined based on prospecting August's income as a result of the information provided in the change report.

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Income Table**

Supersedes: **Child Care 2.6 (9/1/02)**

References: **ARM 37.80.201 – 202**
52-2-701 - 704; 52-2-713 MCA
45 CFR 98.20

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Adoptive Support Services:	Excluded	No
Agent Orange Settlement Payments:	Excluded	No
Alaska Native Claims Settlement Act Tax Exempt Payments:	Excluded	No
Alien Sponsor Deemed Income:	Excluded	No
AmeriCorps VISTA: The living allowance (stipend) received by participants in the AmeriCorps Program is counted as earned income.	Employment	Yes
Annuity Income: Cash received, and available earnings, from an annuity are countable. Dividends and interest available to individuals are countable, even though these earning may be reinvested.	Interest, Dividend, Royalty	Yes
Assistance Payment from Other State:	Cash Assistance	Yes
Bonus Income:	Tips or Bonuses	Yes
Bureau of Indian Affairs General Assistance Benefits:	Cash Assistance	Yes

Montana Department of
Public Health & Human Services

Section:
Non-TANF Child Care

CHILD CARE

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Capital Gains from Sale of Personal Property: Capital gains income, resulting from the sale of real or personal property, such as a primary residence, is treated as a lump sum payment.	Lump Sum	Yes
Capital Investment Returns: Returns from capital investments are counted. If the individual is actively engaged in the management of the investment, this may be "Self-employment Income."	Interest, Dividend, Royalties	Yes
Cash Contributions: Cash contributions directly available to the applicant or participant, regardless of the intended use, are counted as unearned income. EXAMPLE: A non-family member gives the caretaker relative $150 cash to make her car payment. This is a cash contribution directly available to her. However, if the car payment is made directly to the vendor, it is not counted as available to the individual; the payment becomes a "third-party vendor payment."	Other Income	Yes
Child Support "In Excess" Payments:	Child Support	Yes
Child Support Arrearage Amount:	Child Support	Yes
Child Support: Child support income retained by the parent is counted. Prospect the net amount and disregard CSED fees withheld from child support payments. If child support income is irregular, average the income over a period. EXAMPLE: A family begins receiving child support, which comes very irregularly. One payment of $150 is received in January; another payment of $75 is received in July. Since the child support is very unpredictable, you are unable to prospect the income. However, if there is a history of year or more, child support may be averaged and prospected.	Child Support	Yes
Child-Only TANF Cash Grant:	TANF Cash Assistance	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
College Work Study: Work-study hours count toward the minimum hourly work requirement. NOTE: CCR&Rs count the work hours and the income, while OPA may exclude this as educational income	Employment	Yes
Commissions, Salary or Wages:	Employment	Yes
Community Spouse Income Maintenance Allowance: (Not likely seen in child care families.)	Other Income	Yes
Contract for Deed: The income received, whether principal and/or interest, is counted as unearned income.	Other Income	Yes
Dependent Child's Earned Income – Attending School: The earned income of a dependent child who is attending elementary or high school, regardless of age, is excluded.	Excluded	No
Dependent Child's Earned Income – Not Attending School: A dependent child's income is counted, unless the child is attending school.	Employment	Yes
Disability Benefits:	Disability Benefits	Yes
Disabled Children of Female Vietnam Veterans: ➢ Veterans Administration payments to disabled children (now adults) of females who served in Vietnam between February 1961 and May 1975 are excluded.	Excluded	No
Disaster Relief Act: Payments issued because of a Presidential emergency declaration or major disaster, as amended, are excluded. This applies to government and disaster assistance organization payments to individuals.	Excluded	No

Montana Department of
Public Health & Human Services

Section:
Non-TANF Child Care

CHILD CARE

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Dividend, Interest & Royalty Income: Personal interest, dividend, and royalty income are countable.	Interest, Dividend, Royalty	Yes
Divorce Settlement: A divorce settlement is the division of a couple's assets or resources; it is not income. (However, ongoing child support or alimony payments are counted as income.)	---	No
Earned Income Tax Credit (EITC): The applicant or participant may receive the EITC with his/her regular wages. The EITC amount should be noted on the wage stubs. EITC may also be received with the individual's annual federal tax refund.	Excluded	No
Educational Income: Educational grants, loans, scholarships, and VA educational payments are not countable income. If the amount is received in a large sum, reduce the income to a monthly amount for the intended period on CCUBS. NOTE: See 'College Work Study' regarding the minimum hourly work requirement.	Educational Grant or Loan Assistance	No
Employer Paid Insurance or Child Care Benefits Employer contributions toward health or group life insurance, medical expenses, and child care expenses. This includes employer paid flexible benefits, which are not cashable to the employee. EXAMPLE: State Share Credit	Excluded	No
Family Saving for Tomorrow Program (Asset for Independence Act): Family Saving for Tomorrow Program payments are made to a vendor on behalf of the participant. Participants agree to chose set a specific savings goal, either a down payment on a house, start-up costs of a business, or tuition for post-secondary education. The family makes monthly savings deposits, from earned income, for up to three years and receives a two-to-one match on their savings. The match is not counted as income in determining child care scholarship eligibility.	Excluded	No

Montana Department of
Public Health & Human Services

Section:
Non-TANF Child Care

CHILD CARE

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Farm Income:	Self-Employment	Yes
Farm Loss: A farm loss may not reduce income from other sources, so the amount must be zero.	Self-Employment	No
Federal Trade Adjustment Assistance (TAA) Retraining Funds: ➢ TAA supplements Unemployment Insurance benefits to retrain participants and move them back into the workforce. The participant's job skills are evaluated. Retraining benefits are paid directly to a school for a participant's tuition and books. Benefits are also available to cover the participant's rent and utilities, if the participant must maintain a second residence while attending school. While away from the main household, the participant may receive subsistence per diem, based on CONUS rates. NOTE: Unemployment compensation is separate and countable income.	Educational Grant or Loan Assistance	No

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Income Table**

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Federal Trade Adjustment Assistance (TAA) Supportive Services: ➢ TAA supplements Unemployment Insurance benefits to retrain participants and move them back into the workforce. Job Search Funding: Travel expenses are reimbursed based on receipts, for the participant to interview for a new position. Reimbursement is limited to $1,250 per participant. Relocation Funding: Moving expenses, up to $1,250, are reimbursed for the participant, and their family, who relocates to take a new job or attend school. Relocation Benefit: A $1,250 benefit is available to assist in establishing the family after relocating. TAA Supplemental Discretionary Grant: A TAA participant may apply, based on financial need, for emergency assistance. The emergency assistance must be for, or directly related to the participant, not the participant's family members. Examples include the following: ❑ Rent (emergency) ❑ Vehicle Repair ❑ Medical Need ❑ House Repair ❑ Child Care (e.g. training for the participant) NOTE: Offer a Best Beginnings Child Care Scholarship, if possible. Child care benefits should be coordinated to ensure correct payment. NOTE: Unemployment compensation is separate and countable income.	Excluded	No

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Flexible Benefits – Employee Option: Flexible benefits, which are voluntarily withheld for a paycheck, are countable wages. The employee exercises the option of contributing to a flex plan or taking the wages in cash.	Employment	Yes
Food Stamp Benefits: ➢ The CCDF requires states to report Food Stamp participation on the ACF-801. Record the amount of the food stamp allotment. The amount is not counted as income for eligibility purposes. ⇒ Verify Food Stamp Benefits on the TEAMS TAFS/TAF3 screen 'AMT' column.	Food Stamps	No
Foster Care Income and Supportive Services: Payments that are specified in the appropriate foster care plan. TEAMS income code 'FC CI' (child in) or 'FC CO' (child out)	Excluded	No
Garnishment: A garnishment is not subtracted from the individual's gross income. Use the income code that corresponds to the source of the garnished income. EXAMPLE: Garnishment amounts from unemployment benefits are coded "Unemployment Compensation." EXAMPLE: A child support garnishment of a paycheck is coded "Employment" income.	?	Yes
GI Bill (or Veterans' Administration Education Payments) . . . are excluded, provided the participant is attending an institution of higher education/training.	Educational Grant or Loan Assistance	No
Gifts - $50/Individual or Less: Small cash gifts, up to $50 per gift per individual, may be excluded. A gift presented to the entire assistance unit is considered as equally divided among the members.	Excluded	No

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Gifts - Over $50/Individual: Large Gifts over $50 per individual shall be considered contributions.	Other Income	Yes
Government Pension:	Pension or Retirement	Yes
Housing Voucher or Cash: CCDF requires states to report housing subsidy participation on the ACF-801. The amount is not included as income for eligibility purposes. (Do not enter student housing.) NOTE: It is not necessary to verify the client's statement regarding housing participation. NOTE: While Montana does not count housing benefits when determining eligibility, the federal ACF-801 report asks about housing participation. If the family receives housing benefits, enter one dollar ($1) in CCUBS as 'Housing' to identify the family's participation. This will cause the ACF-801 to report this benefit in a Yes/No format, while not counting the income for eligibility purposes.	Housing Voucher	No ($1)
HUD Family Self-Sufficiency (FSS) Program Escrow Account Interest:	Excluded	No
Incentive Payments . . . designed to encourage participation in Public Assistance Programs:	Excluded	No
Indian (Native American) Countable Income: Countable income includes, but is not limited to the following: ❑ Bureau of Indian Affairs (BIA) income ❑ Farm and grazing lease income ❑ Interest income ❑ Mineral rights income ❑ Oil and gas royalties income ❑ Transfers of countable monies from other Indian agencies	Other Income	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Indian (Native American) Excluded Income: Exclude the following income: ❑ Income derived from sub marginal lands ❑ Interest earned on excluded funds ❑ Judgment claim income ❑ Per capita payment income, from funds held in trust distributed to enrolled members (a.k.a. BIA check) ❑ Up to $2,000 per year of income received by individual Indians which are derived from leases or other uses of individually-owned trust or restricted lands	Excluded	No
In-Kind Income – Earned or Obligated for Housing or Food: The value of earned, or obligated, in-kind income is the current value of the service provided. An earned, or obligated, third party vendor payment is counted as in-kind income if: ❑ The value of the payment is earned and contributes housing or food to the employee, or; ❑ The value of the payment is legally obligated to the family. And: ❑ A third party pays a vendor, benefiting the family ❑ Cash is not available to the family This does not include employer paid benefits unrelated to housing or food, such as health insurance premiums or child care benefits. EXAMPLE: An individual receives housing in exchange for general maintenance services. The earned in-kind earnings are valued at the amount of the rent. EXAMPLE: An employer pays the rent as an employment benefit. The value of the rent is countable in-kind income. EXAMPLE: Money legally obligated to the household, but diverted to a third party to pay a household expense.	In-Kind (Earned/ Obligated)	Yes

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Income Table**

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
In-Kind Income - Unearned: A third party payment made as gift to the family may be excluded: ❑ The value of the payment is not legally obligated to the family, or; ❑ The benefit is not tied to the employee's earnings, such as the value of uniforms, group health insurance, or child care benefits available to all persons employed. And; ❑ A third party pays a vendor, benefiting the family ❑ Cash is not available to the family. EXAMPLE: The participant's father pays $100 of the participant's rent directly to the proprietor.	Excluded	No
Insurance Settlement: Proceeds of Fire or Casualty Ins. Claim used to recoup for the loss or casualty within three months of receipt. The insurance money must be signed over to the person or company who will do the repairs or otherwise disposed of within this period.	Excluded	No
Interest, Dividend or Royalty Income: Personal interest, dividend, and royalty income are countable.	Interest, Dividend, Royalty	Yes
Irregular or Infrequent Income:	Other Income	Yes
Jury Duty: The income received, less per diem allowance, is counted. EXCEPTION: If the individual provides verification that the payment was given to his/her employer, "Exclude" the income.	Employment	Yes
Lease Income:	Rental or Lease Income	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Life Insurance – Annuity Income, or Payments Over Time: Cash received, and available earnings, from an annuity are countable. NOTE: Dividends and interest available to individuals are also countable, even though these earning may be reinvested. NOTE: See Life Insurance – Lump Sum Payment	Other Income	Yes
Life Insurance – Lump Sum Payment: If prospected, a life insurance payment is countable in the month received. NOTE: See Life Insurance – Annuity Income, or Regular Payments	Lump Sum	Yes
Loans: A valid loan is a loan for which the lender must deliver a sum of money to a borrower. The borrower must express or imply, either orally or in writing, an obligation to repay. The obligation to repay must be absolute and not contingent on the occurrence of an uncertain event. EXCEPTION: Educational loans are identified as "Educational Grant or Loan Assistance."	Excluded	No
Low Income Energy Assistance Payment (LIEAP) Income:	Excluded	No
Lump Sum Payment: Non-recurring lump sum payments are counted. The income must be prospected when determining eligibility. Examples include the following: ❑ Capital gains ❑ Crop insurance proceeds ❑ Rebate or credit refunds ❑ Settlements from Social Security, TANF Cash, Tribal TANF, railroad retirement or insurance claims ❑ Severance pay or sick leave payout	Lump Sum	Yes
Maine Indian Claims Settlement Act of 1980:	Excluded	No

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Military Allotment: A military allotment is not subtracted from the service member's gross income. An allotment is used to send money back to the family or pay a third party. EXAMPLE: Child support might be paid through a military allotment.	Employment	Yes
Military Basic Allowance for Housing (BAH): A stipend paid to military personnel, whether cash or payments in-kind. Employer paid housing and food benefits are countable.	In-Kind (Earned/ Obligated)	Yes
Military Basic Allowance for Subsistence (BAS): A stipend paid to military personnel, whether cash or payments in-kind. Employer paid housing and food benefits are countable.	In-Kind (Earned/ Obligated)	Yes
Non-Cash Employee Compensation - Food or Shelter: Earned employee compensation benefit, which is either food or shelter, counts as earned in-kind income.	In-Kind (Earned/ Obligated)	Yes
Non-Cash Employee Compensation – Other than Food or Shelter: Employer compensation benefits that are not available in the form of cash, food or shelter, are not included as income. If the employee may take any of these benefits as cash, the benefits are countable. The following examples may not be countable income: - Child care benefits paid by the employer - Flexible spending benefits paid by the employer - Insurance premiums (medical, life, disability) paid by the employer - Vehicles, used for employment purposes.	Excluded	No
Nutrition Program for the Elderly: Any benefits received under Title VII, Nutrition Program for the Elderly, of the Older Americans Act of 1965 are not counted.	Excluded	No
Pension Annuity Payments:	Pension or Retirement	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Personal Injury Settlement Payments: This income is evaluated as a possible lump-sum payment. If the income does not meet lump sum policy, only the amount actually released and received by the participant is counted as "Disability Benefits."	Lump Sum	Yes
Radiation Exposure Compensation Income:	Excluded	No
Railroad Retirement:	Pension or Retirement	Yes
Refugee's Sponsor's Income:	Excluded	No
Reimbursements:	Excluded	No
Relocation Payments: Payments, received under Title II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, are not counted.	Excluded	No
Rental Income:	Rental or Lease Income	Yes
Retirement Income:	Pension or Retirement	Yes
Royalty, Dividends or Interest Income: Personal interest, dividend, and royalty income are countable.	Interest, Dividend, Royalty	Yes
Salary, Wages or Commissions:	Employment	Yes
Sale of Blood: Income from the sale of whole blood or blood plasma is considered self-employment income.	Self-Employment	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Scholarship: See educational income.	Educational Grant or Loan Assistance	No
Section 8/HUD Utilities Payments . . . regardless of the payee.	Excluded	No
Self-Employment Income:	Self-Employment	Yes
Severance Pay: Severance pay represents a non-recurring compensation outside of regular earnings. It is treated as lump sum earned income.	Lump Sum	Yes
Shelter Workshop/Rehabilitation Center Income: Handicapped individuals often work in sheltered workshops or rehabilitation centers performing services/work for therapeutic or rehabilitative purposes. These earnings are totally excluded. Although their wages are subject to taxes, etc., IRS rules treat them as non-employees. (Revenue ruling 65-165.)	Excluded	No
Social Security Benefits (SS): Social Security benefits are paid to an individual, to the family of an individual, based on the individual's earnings. They may be in the form of retirement benefits or survivor's benefits.	Other Federal Cash Income Program	Yes
Social Security Disability Income (SSDI): SSDI benefits are paid to a disabled individual or a disabled individual's family. The payments are based on the disabled individual's past earnings.	Other Federal Cash Income Programs	Yes
Striker Income: Income from union strike activity is countable income.	Other Income	Yes

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Income Table**

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Student Housing: ➢ Student housing is not considered Federal Housing Voucher or Cash' assistance for federal reporting purposes. NOTE: By policy, all income is entered, whether countable in determining eligibility. However, there is no need to enter student-housing benefits as income in CCUBS.	N/A	No
Supplemental Food Assistance . . . received under the Child Nutrition Act of 1966 and the National School Lunch Act.	Excluded	No
Supplemental Security Income (SSI): ➢ Eligibility workers may use the following guidance to identify supplemental security income: SSI payments are made to individuals unable to earn income due to a disability or other qualifying cause. SSI benefits are not based on past earnings and are limited in amount. ⇒ Verify the client's statement regarding SSI Stamp participation, since this may be confused with SS or SSDI. EXCEPTION: If the SSI recipient clearly uses the monetary resource to provide income to another household member, then the other household member would include the respective contribution (Other Income).	Supplemental Security Income	No
Supportive Services . . . which are specified in a public assistance program.	Excluded	No

Montana Department of Public Health & Human Services	Section: **Non-TANF Child Care**
CHILD CARE	Subject: **Income Table**

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
TANF Cash Benefits: ➢ Enter the TANF Cash benefit for each individual. NOTE: While Montana counts TANF Cash benefits when determining eligibility, the only Non-TANF families receiving 'Child Only" TANF Cash grants are affected by the amount of TANF income entered in CCUBS. Additionally, the federal ACF-801 report asks if TANF Cash is a source of income to the family. ⇒ Verify TANF Cash Benefits on the CCUBS 'TEAMS Person Information' interface and/or on the TEAMS TAFS/TAF2 screens 'AMT' column.	TANF Cash Assistance	Yes
TANF Cash Recoupment Amount (Fraud): Do not reduce TANF Cash benefits by any recoupment amount.	Excluded	No
TANF Cash Supplement – FS Countable:	Excluded	No
TANF Cash Underpayment – Exempt:	Excluded	No
Tips: Tips coincide with employment hours. NOTE: If an individual works only for tips, they are self-employed.	Tips or Bonuses	Yes
Training Allowance – Not a Reimbursement: EXAMPLE: An employer pays a training stipend, as set amount. This may occur before employment or during employment.	Tips or Bonuses	Yes
Training Related Reimbursement: EXAMPLE: An employer pays for a current employee's for training expenses.	Excluded	No
Tribal TANF:	Tribal TANF	Yes

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Non-TANF Child Care

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Trust Fund Income: Cash received, and available earnings, from a trust fund are countable. Dividends and interest available to individuals are countable, even though these earning may be reinvested.	Interest, Dividend, Royalty	Yes
Unemployment Insurance Compensation: ❑ Unemployment Insurance (UI) [State – 26 weeks] ❑ Federal Trade Readjustment Act (TRA) [Federal Trade Adjustment Assistance - 26 weeks] ❑ Extended Federal TRA. [Federal Trade Adjustment Assistance - 26 weeks]	Unemployment Compensation	Yes
Vendor Payment - Earned or Obligated: See In-Kind Income – Earned or Obligated.	Employment	Yes
Vendor Payment - Unearned: See In-Kind Income – Unearned	Excluded	No
Veterans' Administration Education Payments (or GI Bill) . . . are excluded, provided the participant is attending an institution of higher education/training.	Educational Grant or Loan Assistance	No
Veterans' Pensions and Benefits:	Pension or Retirement	Yes
Victims Compensation Program: Payments to victims of crime for medical/therapy costs incurred as the result of criminal acts, paid after all other insurance, etc. fulfills their obligations.	Excluded	No
Vietnam Veterans, Disabled Children of Female Vietnam Veterans ➢ See "Disabled Children of Female Vietnam Veterans"	Excluded	No
VISTA Income:	Employment	Yes

Montana Department of
Public Health & Human Services

Section:
Non-TANF Child Care

CHILD CARE

Subject:
Income Table

Income Table for Non-TANF Child Care Scholarships	Income Type	Count
Vocational Rehabilitation Income:	Excluded	No
Wages, Salary or Commission:	Employment	Yes
Weatherization: One-time payments for weatherization and replacement or repair of heating or cooling devices are excluded.	Excluded	No
Women, Infant's & Children (WIC):	Excluded	No
Workers' Compensation Benefits:	Worker Compensation	Yes
Workforce Investment Act (WIA) as Educational Income: If the parent does not need the WIA hours to meet the minimum hourly work requirement, the income may be coded as "Educational Grant or Loan Assistance:" Also, see "Workforce Investment Act (WIA) as Work."	Educational Grant or Loan Assistance	No
Workforce Investment Act (WIA) as Work: When the participant needs work hours to meet the minimum hourly work requirement, code WIA income as "Employment." On-the-job training may be long term (6+ months) or short term WIA/WEX training. Participants receive a paycheck from their employer, or from a WoRC contractor. There may be no indication the employee is a WIA participant. WIA replaces the JTPA program. Also, see "Workforce Investment Act (WIA) as Educational Income."	Employment	Yes

Montana Department of Public Health & Human Services	Section: **Child Care for TANF Participants**
CHILD CARE	Subject: **OPA, WoRC & CCR&R Coordination**

Supercedes: **Child Care 3-1 (11/1/01)**

References: **52-2-701 – 704 & 52-2-711 – 713 MCA**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305-306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98.20 – 47

General Rule

Parents participating in TANF Cash program contact their Child Care Resource and Referral (CCR&R) agency to arrange for a Best Beginnings Child Care Scholarship for Family Investment Agreement (FIA) activities that require child care. A referral is made by completing the form, Child Care assistance will not start until you contact your local Child Care Resource and Referral Agency (DPHHS-HCS-051). The CCR&R Eligibility Specialist interviews the parent to determine the schedule for the Child Care Certification Plan.

The Best Beginnings Child Care Scholarship may begin when the parent contacts the CCR&R and arranges for child care. If the parent contacts the CCR&R and arranges for child care within 10 days of the OPA/WoRC referral, the scholarship may be backdated to the eligibility or referral date, as appropriate. Otherwise, child care scholarships are not backdated.

The CCR&R issues the Child Care Certification Plan based on the FIA renewal date. When the Best Beginnings Child Care Scholarship begins, the CCR&R Eligibility Specialist mails a copy of the Child Care Certification Plan to the OPA Eligibility Case Manager.

Application & CCUBS Processing

A family participating in the TANF cash program completes the Best Beginnings Child Care Scholarship application. The TEAMS interface may be used to verify TANF participation, activity hours, and income for each family member. The application process notifies the family of their rights and responsibilities.

With the applicant's permission, the CCR&R shall obtain as much

information from existing sources as possible, avoiding the need for the applicant to repeat application information. CCR&Rs shall use TEAMS and share relevant application materials or change reporting information from associated agencies.

Complete Non-TANF application information is entered in CCUBS for the following purposes:

- ❑ The family may wish to be eligible for the Non-TANF waiting list
- ❑ Data is used for federal reporting purposes
- ❑ Data is used in aggregate form to profile the population served by the program.

⇒ Verify TANF Cash benefits on the CCUBS 'TEAMS Person Information' interface and/or on the TEAMS TAFS/TAF2 screens 'AMT' column.

⇒ Verify Food Stamp benefits on the TEAMS TAFS/TAF3 screen 'AMT' column.

⇒ Housing or Rent benefits are more difficult to verify. If a family does not have verification of the housing benefit amount, enter $1 under "Housing Voucher."

Qualifying Families & Children Participating in TANF Cash

Parents who need child care to perform Family Investment Activities (FIA) activities are eligible for a Best Beginnings Child Care Scholarship. Children are not required to be part of the TANF Cash assistance unit.

EXAMPLE: A Best Beginnings Child Care Scholarship may be provided for a child of a TANF parent, who has returned to the caretaker relative's home for the school summer months. They may not be part of the TANF Cash assistance unit because they will be returning to the custodial caretaker relative before the start of the new school year.

EXAMPLE: A Best Beginnings Child Care Scholarship may be provided for a minor child receiving Supplemental Security Income (SSI), Title IV-E Foster Care, or not included in the TANF Cash

assistance unit for failing an eligibility requirement.

Additionally, a Best Beginnings Child Care Scholarship may be provided for a teen parent, living with a specified caretaker relative, if needed for secondary school attendance hours.

EXAMPLE: A teen parent lives with her father and attends high school. Because she is attending high school, she is not required to have a FIA. However, she is eligible for a Best Beginnings Child Care Scholarship during her school hours.

Parents and children are subject to general eligibility requirements outlined in "Child Eligibility" (1-8) and "Parent Eligibility – Overview" (1-9).

Child Only Grant

Children who receive a child-only TANF Cash grant may participate in a Non-TANF Best Beginnings Child Care Scholarship. The parent must apply and be eligible for a Non-TANF Best Beginnings Child Care Scholarship.

Qualified Child Care Provider

Families receiving a Best Beginnings Child Care Scholarship must use either a licensed, registered or legally unregistered provider (LUP) approved for payment purposes. See "Child Care Provider Eligibility – Overview" (1-10) in this manual.

OPA or WoRC Refers Family to CCR&R

➢

A family may be referred to the Child Care Resource and Referral agency before TANF Cash benefits are authorized. Child care referral services may be provided, however, **CCR&Rs should be very careful not to suggest a child care scholarship will be granted before TANF benefits are authorized by the OPA Eligibility Case Manager**. While FIA activities begin when a family applies for TANF Cash, Case Managers negotiate initial activities that generally do not require child care. The need for child care usually begins when the TANF Cash eligibility process is complete and TANF benefits are authorized.

If a child care scholarship is recommended, the Case Manager refers the

family using the form, Child Care assistance will not start until you contact your local Child Care Resource and Referral Agency (DPHHS-HCS-051):

- White copy is filed
- Yellow copy goes to participant (attach AF SEPA)
- Attach a copy of the TEAMS AF SEPA screen to the pink copy and deliver daily to the Child Care Resource & Referral (CCR&R) agency.

Coordinate services:

- The OPA Eligibility Case Manager shall notify the CCR&R Eligibility Specialist when TANF Cash is authorized.

  NOTE: CCUBS does not receive any alerts from TEAMS until the family contacts the CCR&R and the CCR&R Eligibility Specialist registers the TEAMS Person ID numbers in CCUBS.
- If the FIA is renegotiated early, the OPA Eligibility Case Manager shall notify the CCR&R Eligibility Specialist.
- If a sanction occurs, the OPA Eligibility Case Manager shall notify the CCR&R Eligibility Specialist.

CCR&R Manages Child Care

The Child Care Resource and Referral Agency (CCR&R) will manage the Best Beginnings Child Care Scholarship for the family. The CCR&R shall attempt to contact each family referred from the TANF program:

- Use the TEAMS Person ID# on the CCUBS 'TEAMS Person Information' interface to gather basic demographic information, such as their Social Security number.
- Use the TEAMS 'TAFS/TAF1' screen may be used gather address information for the family.
- The CCR&R Eligibility Specialist interviews the family and determines the amount of child care and the child care schedule:
  - The CCR&R shall review each month of FIA activities, via the TEAMS Interface, to corroborate the need for child care.

    NOTE: TANF Post Secondary Education participation requires employment or educational related work, such as an internship or field experience. Some of these activities may

not be employment under Fair Labor Standards Act standards. However, these activities are part of the parent's FIA and they qualify for a child care scholarship under the TANF PSE work requirement.

- The TEAMS Income Interface may be used to verify some employment hours.
- A copy of the OPA Eligibility Case Manager's Report of Employment Income (DPHHS-HCS-242) form may be used in lieu of the Release of Information/Request for Verification (DPHHS-HCS/CC-011) form. Interview the parent(s) to assess their daily work schedule.

- If the family pursues a legally unregistered provider, process the LUP application.
- Issue a child care certification plan corresponding with the family's FIA renewal date.

  Note: If the FIA is renegotiated early, the OPA Eligibility Case Manager Eligibility or WoRC Case Manager shall notify the CCR&R Eligibility Specialist.
- The CCR&R Eligibility Specialist may adjust the child care certification plan as needed.
- The CCR&R Eligibility Specialist may close the Best Beginnings Child Care Scholarship if the family no longer needs child care to perform FIA activities.

  ⇒ Notify OPA Eligibility Case Manager or WoRC Case Manager when closing child care for families receiving TANF Cash benefits.

Re-certifying Child Care for TANF Participants
➢

A re-certification reminder is mailed to families and their providers six (6) weeks before their child care certification plan expires.

NOTE: If the certification plan is less than six (6) weeks, CCUBS may not automatically generate a re-certification reminder. The CCR&R is responsible for generating appropriate notices for the parent and the provider.

- Parents shall notify the CCR&R of any schedule changes occurring

under their FIA, that affect their need for child care.

- If the parent does not contact the CCR&R, the CCR&R shall attempt to contact and interview the parent to determine the family's child care needs.

CCR&R Notifies OPA

When the Best Beginnings Child Care Scholarship begins, the CCR&R Eligibility Specialist mails a copy of the Child Care Certification Plan to the OPA Eligibility Case Manager.

OPA or WoRC Notifies CCR&R

The OPA Eligibility Case Manager or WoRC Case Manager shall notify the CCR&R Eligibility Specialist serving their family when the following occurs:

- A Grace Period is needed (refer parent to CCR&R)
- A Sanction occurs
- FIA agreements are renegotiated early
- Fill-the-Gap child care is needed
- TANF Cash closes

Loss of Eligibility

The family loses Best Beginning Child Care Scholarship eligibility if:

- They lose eligibility for TANF, or;
- They fail to pay the required co-payment fees within the month due, or;
- There is no qualifying child in the home, or;
- The parent has been sanctioned and there is no longer a need for child care during FIA activities.

Sanctions

If a parent is sanctioned, some Best Beginnings Child Care Scholarship may be offered if the participant is complying with portions of the FIA agreement.

- Child care assistance may still be available in two situations:
  - Partial FIA compliance - if the parent and OPA Eligibility Case Manager Case Manager agree to continue some FIA activities.
  - A need is established when one parent is participating in TANF Cash and the other parent is disqualified.

The family has the option to give up TANF Cash benefits and apply for a Non-TANF Best Beginnings Child Care Scholarship.

Dependent Care Disregard

➢ OPA Eligibility Case Manager Case managers determine TANF eligibility. A dependent care disregard for out-of-pocket dependent care expenses is used when determining income available to TANF participants. The portion of the family's income used to pay for dependent care, up to $200 per individual per month, is excluded from the family's income when determining TANF eligibility.

Co-payment Requirement

➢ Each family receiving a Best Beginnings Child Care Scholarship is required to contribute toward the cost of the child care scholarship based on the family's ability to pay. The co-payment is based on a sliding fee scale. Families eligible for TANF Cash benefits have a $10 monthly co-payment.

TANF Families Require Affordable, Appropriate, Suitable Care Within a Reasonable Distance:

CCR&Rs shall inform families participating in the TANF Cash program that they are exempt from penalties for non-participation in required activities if they need child care and cannot find child care for children under age six that is appropriate, affordable, suitable, and within a reasonable distance. These terms are defined as follows:

Affordable Child Care means the total parental (caretaker relative or person acting in loco parentis) co-payment and 'above and beyond' obligation does not exceed 25% of gross family income.

Appropriate Child Care means the child care provider must meet applicable state licensing/registration standards.

Reasonable Distance means:

a. If the family is without either their own (or arranged) transportation, and there is no public transportation, then their home or work site must be no more than 3 miles from the child care provider.

b. If the family has their own (or arranged) transportation, their home or work site is within one-hour travel distance, one-way, from the child care provider.

Unsuitable Informal Care means care which does not meet applicable state licensing standards even though it may be the parent's choice.

Serving the Family

Families may lose eligibility for a brief period during a transition. Policies are available to maintain continuity of care for the child and maintain an established relationship with the child's provider. Refer to 'Serving the Family', in this manual, for details.

Additional Best Beginning Child Care Scholarship management issues are addressed in the same section.

Reading the FAIA & WRCS Information

The following table summarizes Family Investment Activity (FIA) codes used on TEAMS FAIA & WRCS screens.

Note: Several FIA activities do not require child care and some activities do not require child care for the total time allotted to the activity:

TEAMS FIA CODE	FIA DESCRIPTION	Req'd FIA?	Need Child Care?
ABE	**ADULT BASIC ED.**	**N**	**Yes, for scheduled class time, out of the home.**
EMP	**EMPLOYMENT**	**N**	**Yes, based on interview.**
EPS	EPSDT PARTICIPATION	Y	No – (Health screening for children.)
FHP	FAIR HEARING PENDING	N	No
FIA	FIA RENEWAL APPT	Y	No – (Families can bring their children.)
FSA	**FAM. STRENGTH. ACT.**	**N**	**Yes, as determined by interview**
HNA	HRS NOT ACCOUNTD FOR	N	No

TEAMS FIA CODE	FIA DESCRIPTION	Req'd FIA?	Need Child Care?
HNC	HOURS NOT COMPLETED	N	No
HSE	**HIGH SCHOOL ED.**	**N**	**Yes, for school hours**
JBS	**JOB SEARCH**	**N**	**Yes, based on interview. The parent usually does not need care during the entire time allotted for job search.**
JRT	**JOB READINESS ACTIVI**	**N**	**Yes, based on interview**
MAE	ACCEPT & MAINT EMPL	Y	No
NEW	TRIBAL NEW	N	Yes, based on interview
	the WRC code, total hours are listed for the Tribal New referral. Unlike the WoRC program, TEAMS does not carry detailed information regarding Tribal New activities or components. Base the child care certification plan on the participant interview.		
OCM	**OTHER CASE MNGMT**	**N**	**Yes, based on interview.**
	May be a referral to VR or WIA (formerly JTPA), etc. TEAMS does not carry detailed information, just the total hours.		
PLT	PARTICIP LOG/TRAVEL	Y	No
PSE	**POST SECONDARY ED.**	**N**	**Yes, for scheduled class time, out of the home.**
SCE	**SINGLE CMPNT. ENTRY**	**N**	**Yes, based on interview.**
	A one-time activity, which may require child care if it is scheduled time away from home.		
STT	**SHORT TERM TRAINING**	**N**	**Yes, for scheduled class time, out of the home.**
WEX	**WORK EXPERIENCE**	**N**	**Yes, based on interview.**
WRC	**WORC COMPONENT**	**N**	**Yes, based on interview.**
	WRC code generates the WRCS screen. WoRC components are coded the same as the FIA components.		

Montana Department of Public Health & Human Services	Section: **Child Protective Services Child Care Under The Best Beginnings Scholarship Program**
CHILD CARE	Subject: **CFSD & CCR&R Coordination**

Supercedes: **Child Care 4-1 (10/01/99)**

References: **Sections 37.80.101, 37.80.202, 37.80.203, 37.80.205, 37.80.206, 37.80.301, 37.80.501 ARM**
45 CFR Part 98

General Rule

To qualify for Child Protective Services (CPS) child care, the child must need care because of the danger of neglect or abuse. The physical or emotional risk to the child needs to be documented in the case record. Some families may be required to pay for child care services, as determined on a case-by-case basis.

Age Requirement

A child is eligible for a CPS Best Beginnings Child Care Scholarship through age 18.

⇒ Select "Court Supervised 13-18 Yr-Old (CPS)" on the child's 'Person' screen/'Special Needs' tab, as appropriate.

Child Care Providers

Child care providers must either be licensed or registered in order to care for CPS children. An exception may be granted by the Regional Administrator to allow a Legally Unregistered child care provider to serve a CPS child, however, IV-E funds cannot be used to pay a LUP/LU1.

Eligibility

Social Workers with the DPHHS Child and Family Services Division (CFSD) determine a family's need for child protective services (CPS) child care. Social Workers may have several options for child care. Some CPS child care is administered by CFSD on the Child and Adult Protective Services (CAPS) computer system. Other child care options are available under the Best Beginnings Child Care Scholarships administered by Child Care Resource and Referral (CCR&R) agencies. When the Social Worker selects a CPS child care scholarship through the CCR&R, a referral is made for each individual child.

Montana Department of Public Health & Human Services	Section: **Child Protective Services Child Care Under The Best Beginnings Scholarship Program**
CHILD CARE	Subject: **CFSD & CCR&R Coordination**

4 Funding Options at the CCR&R:

Four funding options are available for child care scholarships administered through CCR&Rs. Two options are managed as CPS child care, where each child has their own individual case. Two options involve the use of non-CPS child care scholarships that may be currently available to the family. If eligibility or funding is lost in one program, other funding options may be considered. While options are listed here in the order of priority, some children may not be eligible for some options.

Referral Form

Social Workers, who select the Best Beginnings Child Care Scholarship program, refer each child who needs care to the local CCR&R using the Child Care Referral – Electronic Form, CFSD Child Care Referral [date].doc Use the form as follows:

1. Tab to each grey box to type in the blanks. Click on each drop-down box to view choices.
2. Complete one referral for each sibling. *(Save the file, edit, and then use 'File: Save-As' for siblings.)*
3. E-mail the completed form as an attachment to your Child Care Resource and Referral agency.
4. Save this document file for future child care updates, and print this document, as needed.
   CCR&R: If child is currently receiving a child care scholarship, coordinate with CFSD Social Worker to determine if care can continue under the current child care program.

1) TANF Child Care

A child currently resides in a household receiving TANF Cash benefits. While this is not CPS child care, a Social Worker may choose to offer additional child care for CPS purposes

The Social Worker and the OPA Eligibility Case Manager may work together to include CPS activities within the Family Investment Agreement (FIA) and coordinate with the CCR&R Eligibility Specialist.

⇒ Select program type: TANF
⇒ Select fund account: TANF State General Fund -or- CCDF

⇒ Select reason for child care: Child Protective Services

2) CPS TANF Child Care

CPS TANF child care may follow a child who is removed from a TANF household for up to 90 days.

⇒ One case per CPS Child: Set up the child as the head of household.
⇒ Set up the child care certification plan to coincide with the end of the 90-day limit. A different funding option may be considered at that time.
⇒ Select program type: Child Protective Services
⇒ Select fund account: TANF State General Fund
⇒ Select reason for child care: Child Protective Services

NOTE: A child-only TANF Cash grant does not qualify a child for CPS TANF child care. The child may qualify for CPS Non-TANF child care.

3) Non-TANF Child Care

While this is not CPS child care, a low-income working family who is eligible for a Non-TANF Child Care Scholarship may benefit from additional child care for CPS purposes. If a family is not currently receiving a Non-TANF Child Care Scholarship, they may apply at the local Child Care Resource and Referral (CCR&R) agency.

When there is a waiting list for Non-TANF Child Care Scholarships, families are prioritized by income level, relative to the federal poverty guidelines as noted in sections 2-1 and 1-5 of this child care policy manual. A CPS child is not given priority over other children on the Non-TANF waiting list. However, A family with a child who has special needs is not subject to the Non-TANF waiting list.

The Social Worker may coordinate with the CCR&R Eligibility Specialist to arrange an appropriate child care schedule.

⇒ Select program type: Non-TANF
⇒ Select fund account: Child Care and Development Fund -or- whichever is currently available

⇒ Select reason for child care: Child Protective Services

4) CPS Non-TANF Child Care

A child in need of CPS child care who does not qualify for other child care scholarships may be referred to the CPS Non-TANF Child Care program. Funding for this program may be limited.

⇒ One case per CPS Child: Set up the child as the head of household.
⇒ Select program type: Child Protective Services
⇒ Select fund account: Non-TANF State General Fund -or- CCDF
⇒ Select reason for child care: Child Protective Services

CFSD Child Care Options

The Child and Family Services Division may have other CPS child care options that are managed on the Child and Adult Protective Services (CAPS) computer system:

- ❑ Emergency Assistance Child Care
- ❑ IV-E Funded Child Care

Rate for a Child with Special Needs

To qualify for a special needs rate, the Social Worker must include a reference to the special need in the child's approved case plan. The special needs evaluation must accompany the child care referral form. The Social Worker will work with the CCR&R Eligibility Specialist to complete the Special Needs Subsidy Rating Scale to determine an appropriate rate for child care. The process may involve gathering documentation and consulting with medical professionals.

Foster Children

The department may pay for CPS child care during the time foster parents spend at work, in training, counseling, or similar activities which are directly connected to their ability to care for foster children in their home.

Refugee Children

Eligibility for CPS child care of refugee children is determined by the same procedure as for all other recipients.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Child Care Referrals**

Supersedes: **Child Care (New)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM 45
CFR Part 98.20 – 47

Referral Process

Child Care Resource and Referral agencies assist families in locating child care. A computerized matching of the family's needs with the profiles of child care providers in the area provides an objective referral. The referral service is available to all families in the community and is separate from the Best Beginnings Child Care Scholarship program.

Requests for referrals are accepted by toll-free telephone, by mail, by Internet or e-mail, or by walk in families. Referral services are available in all of the counties and rural communities of each CCR&R District.

Referral listings shall be distributed through a method requested by the parent, to include:

1. Mailing to the parent at no charge
2. Picking up by the parent
3. Faxing to the parent
4. E-mailing to the parent

Referral requests for immediate care (within 4 weeks) shall be processed and distributed to the parent within two (2) working days. Referral requests for future care (4+ weeks away) shall be processed and distributed to the parent within five (5) working days.

Parents who rely on a Best Beginnings Child Care Scholarship shall not receive referrals for providers ineligible for the Best Beginnings Child Care Scholarship program.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Child Care Referrals**

Basic Referrals

Basic referrals shall be provided to participants of and families who are eligible for the following programs:

- ❑ Best Beginnings Child Care Scholarship
- ❑ TANF Cash Assistance
- ❑ Other public assistance programs
- ❑ Child Protective Services

At their discretion, CCR&R's may include additional groups to expand the availability of basic referrals.

No Fee for a Basic Referral

No fee shall be charged for basic referrals. A family eligible for a basic referral shall be given a password and the public referral URL that allows them to do Internet searches without fee.

Information Provided in a Basic Referral

At a minimum, a basic referral shall include the following:

1. Provider or facility name
2. Location (address is optional)
3. Telephone number
4. Age range of children
5. Facility type
6. Days/hours of business
7. The CCR&R Network disclaimer
8. Consumer education material

Enhanced Referrals

CCR&R's have the option of providing an enhanced referral, with additional information and service. Families that do not meet the eligibility criteria for basic referrals and families interested in additional service may request an enhanced referral. CCR&R's may charge the parent a fee for providing an enhanced referral.

Unbiased Referrals

All referrals must be free of bias. To ensure unbiased referrals, counselors use NACCRRAware to select providers who meet the majority of the family's

preferences. Referral counselors shall be trained to refine their queries so that at least 3 but no more than 10 providers come up in the query. An exception for minimum number of matches will be made for hard to find care or for locations that do not have 3 providers with vacancies. An exception for the maximum number of matches can be made for specific types of care, such as infant care, when the parent requests more than 10 providers. Queries with more than 10 matches should have additional criteria such as quality level of provider or environment added to narrow the list. Queries with less than 3 should have the search broadened.

Child care referrals for families who have children with disabilities must not be discriminatory. A provider search for these families shall include the full range of child care providers available, not just those who indicate they serve children with disabilities. A parent may work with the chosen provider and Child Care plus+ to resolve any inclusion issues or determine accommodations needed to serve the child.

Intake – 'Child Care Need' Form

CCR&R's will conduct an initial meeting with the parent through phone, e-mail, mail, or in person to gather information regarding the family's child care needs and preferences. CCR&R's should complete or have the parent complete the Child Care Need form to obtain the information needed for a referral.

Data Entry

Information from the Child Care Need form must be entered into NACCRRAware and used to match the family with a child care provider who meets their needs. Information must be complete and accurate, to ensure effective referrals and provide accurate statistics. The Early Childhood Services Bureau and the Montana CCR&R Network will query NACCRRAware to obtain statistics needed for reports.

Additional training and information on the NACCRRAware program, queries, reports, and matches is available at the Montana CCR&R Network office.

Parent's Employment Category

From the drop down list, pick a main category that includes the industry in which the parent is employed. For further clarification and definitions, refer to the ***North American Industry Classification System.*** See http://www.ntis.gov/product/naics.htm for ordering information. The Referral Specialist must choose between one of the 20 categories. Choose "not employed" or, "not employed-student" if they are a full time student. Enter the name of the business for the primary person in the "Place of employment" field. (Currently says CLI CFG 3 text field, title will change to Place of employment)

Consumer Education Material

Consumer Education Material must be professional in appearance and at a minimum include the following information:

1. Guidance on how to conduct a child care search
2. A checklist that explains how to select quality care
3. An explanation of the types of care in Montana
4. Montana child care staffing ratios
5. A local phone number to check for substantiated complaints or to file a complaint
6. Information about the Best Beginnings Child Care Scholarship program
7. Information about Child Care Tax Credits
8. Guidance about standard child care business practices such as contracts, rates and fees, etc.
9. Information on the importance on selecting quality child care

Additional information must be available on request including:

1. Local market rate information
2. Licensing and registration requirements
3. Information about transportation policies of facilities
4. Information about child development

Consumer education material must be available in a variety of formats that allow the material to be faxed, attached as an e-mail in PDF or Text format, or viewable through a link to the Child Care Aware website.

Publications

The Montana Resource and Referral Network developed a professional brochure titled "Tips for Choosing and Using Quality Child Care" that incorporates all of the required information except the checklist. The brochure can be modified with local contact information and logos. Contact the Network office at (406) 549-1028 for more information.

Child Care Aware has several professional brochures on selecting quality child care available for a modest cost. Publications include a checklist, infant and after school specific brochures and brochures for special needs children. Publications can be ordered through Child Care Aware at (800) 424-2256 or at www.childcareaware.org

Star Quality Brochure

The Early Childhood Services Bureau publishes a brochure outlining the attributes of the Star Quality program and tiered reimbursement. Parents should understand they might be able to afford a higher quality program, when a Star program receives a quality bonus with the scholarship payment.

Network Disclaimer

The agreed upon network disclaimer is as follows; "Thank you for calling a member of the Montana Child Care Resource & Referral Network. The information on the child care providers you receive is a referral and does not imply an endorsement for a particular child care provider or facility. It is your responsibility to screen and evaluate the child care providers on your list. It is recommended that you follow the guidelines outlined in the enclosed pamphlets when interviewing and make your decision based on those findings."

Licensed & Registered Providers

All registered and licensed providers shall be entered into NACCRRAware. The Referral Specialist shall keep provider profile information current and maintain up-to-date information on child care openings.

Future plans include a CCUBS interface that will populate provider

demographic fields in NACCRRAware. Providers who do not wish to participate on the referral program should be checked as "No Referrals" and "No Web Referrals" in the *Referral* section.

No LUP Referrals

Legally unregistered providers (LUP/LUI) do not qualify for referrals. Providers who convert to LUP/LUI status must be coded 'Inactive' on NACCRRAware.

Non-licensed Providers

Non-licensed, legally operating programs ***may*** be added to NACCRRAware at the CCR&R's discretion. These programs include legally operating facilities in which no licensing standards exist:

- ❑ After-school programs that are exempt from licensing
- ❑ Drop-in care
- ❑ Early Head Start
- ❑ Head Start
- ❑ Preschools
- ❑ Sick-child care
- ❑ Summer programs

Provider Updates

CCR&R's are responsible for maintaining and updating the NACCRRAware database. Common updates include changes in vacancies, demographic information, adding new providers and changing a provider status. Provider information in NACCRRAware should be as current and accurate as possible. Accurate provider information is critical for providing good referrals, generating statewide statistics and making on-line referrals a success. Parents need to be able to retrieve the same information from the database as referral counselors without knowing all the details of the provider information.

Providers must submit the Child Care Referral Program Provider Information Form annually to their local CCR&R. Providers who do not submit the Child Care Referral Program Information Form shall be listed as "No Referrals" and "No Web Referrals."

Providers who have elected to participate in the referral program must be contacted for updates. Providers who consistently do not have vacancies, maintain an internal waiting list and indicate that they will contact the Referral Specialist when they have a change must be contacted a minimum of two times per year to update information and waiting list status. Completion of the annual Child Care Referral Program Provider Information form may count as one of the two updates. CCR&R's must indicate providers who meet these criteria in the comment section of the Provider General screen.

CCR&R's shall make inquiries to providers who have indicated that they have vacancies or who periodically have vacancies a minimum of every other month. Updates may be conducted by phone, e-mail, and mail or through personal interviews. The CCR&R must make a consistent good faith attempt to obtain updates but is not responsible if the provider does not respond to the inquiry. Vacancy information for slots that are in great demand, such as infant vacancies, needs to be updated more often. Updates need to be documented in the action log. The action log can be queried to see which providers have received a recent update.

Providers are encouraged to contact their CCR&R whenever they have a change in their vacancy status.

EXAMPLE: A large well-established center participates in the referral program but has a lengthy waiting list and is quite insistent that they will call the CCR&R if, and when, they have a vacancy. They have indicated that they would like to be listed on referrals as a facility with a waiting list if they meet the family's other criteria.

The CCR&R referral worker has noted this in the comment section of the Provider General screen. The CCR&R receives the Child Care Referral Program Provider Information form annually and contacts them at least once per year to be in contact and ensure that they still maintain a waiting list. The CCR&R usually does this update mid-summer in anticipation of the busy back to school referral season.

EXAMPLE: A provider has periodic vacancies. Month #1: The CCR&R sends out postcard to each provider asking them to contact

the Referral Specialist if they have a vacancy or have filled a vacancy. This provider does not contact the Referral Specialist to notify of any changes. Month #2: The CCR&R calls the provider and there has been no change in the vacancy information. Month #3: the provider calls the CCR&R to report that they have filled their vacancy.

The CCR&R documents updates in the action when they have made a contact with the provider in the action log. They keep a log of the date the postcard mailings and mass distribution e-mails are distributed to providers.

EXAMPLE: A provider called two weeks ago to let the Referral Specialist know that they have a full-time infant vacancy and a full-time vacancy for a 2+ year-old. The child care provider is located in an area that has limited vacancies and very few infant slots. The CCR&R has listed the provider on over 10 referrals in the last two weeks, but does not know if the vacancies have been filled.

The CCR&R shall contact the provider to ensure that they still have both vacancies, even though the CCR&R recently updated the provider's vacancies. If the vacancies have been filled, the CCR&R shall remind the provider to contact them when they have filled their vacancies.

Status

Providers who have closed their child care business either temporarily or permanently should be listed as inactive *as of* the date they closed or became inactive. The reason for closure must be listed in the comment section and may be used to conduct research on provider turnover.

Community

The community section in NACCRRAware is configured to collect data on business and community outreach. Businesses and agencies can be listed in the community section. Interactions with the businesses and agencies can be recorded in the action log to provide a permanent and thorough history.

NACCRRAware

NACCRRAware is the software program used by the State of Montana to conduct child care referrals. The NACCRRAware Program is located on a state server and can be reached through the Internet at the following address: http://naccrraware.hhs.state.mt.us/naccrraware/servlet/naccrra.servlets.LoginServlet

NACCRRAware has a comprehensive on-line help feature available on the left-hand tool bar. Help features specific to the screen are also available on each screen when applicable. Items listed in this manual are items that are specific to the configuration and business practices of Montana's NACCRRAware database.

Montana Specific Configuration

NACCRRAware utilizes Standardized Fields for national data collection. The Standardized Fields cannot be changed by users and include extensive definitions about what data should be used in the field. Montana CCR&R's are required to follow the Standardized Field definitions. To download the Standardized Field definitions go to http://www.naccrraware.org/ProductInfo/fields.htm

Items not specifically mentioned in this manual are covered extensively in NACCRRAware help features or in training material. Occasionally the Referral Specialist may find field definitions in NACCRRAware help that are not visible in our current configurations; these fields have been hidden because they are not applicable to Montana CCR&R's business practices.

Please contact the MCCR&R Network Technology staff person to request additional configurations, to add or delete users, to change a password or for additional assistance. CCR&R members should not contact the NACCRRAware help desk; all requests to the help desk must go through the

MCCR&R Network Technology staff person, Jennifer Robichaud, at 406-541-9029 or jennifer@montanachildcare.com.

Mapping

Mapping software must be downloaded from NACCRRA's Website and installed on **every** computer used to do referrals. All providers must be geomapped first, and then the family's address can be geomapped and used to make a match. Please contact MCCR&R network office for assistance with the download:
http://www.naccrraware.org/cgi-bin/Authenticate.cgi/Downloads/secure_downloads.htm

Geographic Area

Use this section to define geographic locations that are specific to the local CCR&R district. For example, some areas cannot be adequately described by one zip code, city, or elementary school area, yet are common known identifiers for the area. These could include descriptors like "North Side," "University Area" or "Grant Creek." Each CCR&R can define up to 10 areas and use them as a matching feature. Each individual CCR&R will need to keep a local list of its local geographic areas and the corresponding number.

If CCR&R's choose to use the locally defined geographic area field, they will need to include their local areas on the Provider Information Sheet and on the Child Care Need form. If the CCR&R does not use this field, then it should be removed from the form.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Legally Unregistered Providers**

Supercedes: **Child Care 6-2 (1/1/02)**

References: **Section 52-2-704(2)(d-g) through 52-2-741, MCA**
Section 11.14.229, 37.95.101-102, 37.95.601-602, 37.95.630, ARM

General Information

Legally Unregistered Provider (LUP) is a special provider certification category that is used for state payment purposes only. A Legally Unregistered Provider may care for no more than two unrelated children or any member in a sibling group.

NOTE: A LUP who cares for more shall be referred to the Child Care Licensing Program for an 'over-numbers' violation.

NOTE: A Legally Unregistered In-Home Provider (LUI) must prove relation to the 5th degree of kinship. The applicant must provide a birth certificate to prove they are the grandmother, grandfather, aunt or uncle. The CCR&R LUP worker will provide assistance using the State of Montana Virtual Pavilion for those applicants born in Montana. The LUI applicant is responsible to provide a copy of these birth certificates if they were born in any other state or country.

Qualifications

Applications for status as an LUP must meet all of the following conditions:

- The provider must be age 18 or older;
- The provider must be mentally and physically capable of providing child care that meets safety, health and other basic child care requirements and standards;
- The provider must not have a substantiated report with Child/Adult Protective Services involving harm, or physical or sexual abuse to children or adults;
- The provider must not have a criminal conviction involving harm, or physical or sexual abuse to children or adults;
- The provider must not be included in the parent's TANF cash assistance payment;
- The provider must list an eligible family for whom the provider will provide care in their application.

Effective Date for Payments to LUPs

If the background check reveals no substantiation of abuse or neglect by the applicant and there are no other non-compliance issues, the effective date for a legally unregistered provider will be when their complete application is received at the CCR&R office -- not the date the application is approved.

Application Process

1. The applicant contacts the local CCR&R.
2. The CCR&R gives the applicant an application to become an LUP. The name of the form is Legally Unregistered Provider and/or In-Home Care Application for State Payment Only (DPHHS-HCS/CC-087) form.
3. The applicant fills out the application.
4. The applicant, and any adult outside the child's immediate family, signs Legally Unregistered Provider Release of Information Criminal/Protective Service Background Checks (DPHHS-HCS/CC-077) form. This form is used to obtain information from the Montana Department of Justice and Montana Child Protective Services and Adult Protective Services and Tribal Child Protective Services if applicable.
5. Once the Legally Unregistered Provider and/or In-Home Care Application for State Payment Only (DPHHS-HCS/CC-087), has been completed the applicant has 30 days from the date of application to return other supporting information, excluding background checks.

Background Check Process

The CCR&R fills out a Criminal History Check (DPHHS-HCS/CC-079) form and a CPS and APS Record Check (DPHHS-HCS/CC-078) form. If household members have lived out of Montana for any time in their lives since turning 18, then the applicant must obtain an out of state criminal history records check. If an applicant indicates that they have lived on a reservation, the CCR&R LUP worker will send a request to the named reservation for a criminal and Child Protective Service background check. The Evaluating Official will then follow up on the information as part of the application process.

Fingerprint Option - Out-of-State Process

If an applicant is unable to obtain an out of state criminal report from any state, the applicant can request assistance from the State of Montana. The applicant, or other adult, can choose the option to have their fingerprints taken to ease the process. Upon request for assistance, the Department will assist using the

following procedure:
The applicant contacts their local CCR&R to obtain a Department of Justice (DOJ) fingerprint card. In order for the Department to assist the applicant in obtaining a criminal history, fingerprints must be taken using the Department of Justice card.

- Any other fingerprint card will be returned unprocessed
- Once the applicant obtains the DOJ fingerprint card, the applicant can go to any local law enforcement office to have their fingerprints taken or check with their local CCR&R, as some have fingerprint capability on site.
- Any fees associated with taking the fingerprints are the responsibility of the applicant.
- The information on the fingerprint card MUST be filled out before the fingerprints are taken.

Once the Department of Justice fingerprint card is complete and the prints have been taken, the applicant must send the card and any related fees directly to the Evaluating Official in Helena at ECSB:

ECSB LUP Evaluating Official
P.O. Box 202952
Helena, MT 59620-2952

OR give them to the CCR&R to be forwarded to the evaluating official in Helena. The applicant must include a personal check or money order in the amount of $32.00, made payable to "Montana Department of Justice." The Evaluating Official will then forward the fingerprint card and fee to the Department of Justice and they will run the fingerprints through the FBI records check system. The records check system will cover all 50 states and territories. The results of the FBI record check will be mailed directly to the Evaluating Official in Helena.

A second type of background check is the Western Identification Network (WIN) fingerprint check. If an applicant has lived in ONLY any of the following states, they can have this fingerprint check performed for $8.00: Alaska, Idaho, Montana, Nevada, Oregon, Utah, and Wyoming. Individuals who have lived in any other location must complete the FBI record check mentioned above.
The above procedure is in effect until superseded by further directives.

Unsuccessful Out-of-State CPS Checks

The applicant will contact the out of state equivalent of the CPS office for a copy of their record check. They can obtain phone numbers by contacting the criminal office of each state by using the Montana DOJ list of Fingerprint Identification Units. THE APPLICANT MUST DOCUMENT ALL ATTEMPTS TO REACH THE CORRECT AGENCY. Also the Evaluating Official has a copy of the National Directory of Youth & Families Services, which contains phone numbers for counties and states throughout the nation.

The CCR&R worker will also document any attempts made on their part to assist the applicant in obtaining out of state CPS checks. If the applicant is unsuccessful in reaching a person or department who can assist them with a check, please confer with the Evaluating Official in Helena. Please forward all equivalent to CPS record checks to the Evaluating Official.

Continuation of LUP Application and Approval Process

1. The CCR&R worker will then send the CPS and APS Record Check (DPHHS-HCS/CC-078) to the appropriate CPS office(s) where the applicant has lived in Montana, along with the Release of Information.
2. The CCR&R worker will send the Criminal History Check (DPHHS-HCS/CC-079) to the Montana Department of Justice along with the Release of Information.
3. The DOJ will search its records for any criminal convictions the applicant may have.
4. The criminal record is then sent to the LUP Evaluating Official at the Early Childhood Services Bureau in Helena.
5. The local CPS office will notify the applicant's CCR&R if there is a CPS substantiation or not. (There is no mention of content in the CPS history-just a "yes" or "no").
6. If there is not CPS/APS history, and no Criminal History, and all other requirements are met, then the applicant is approved.
7. If there is a history, then the CPS/APS record check is sent to the Evaluating Official in Helena.
8. The official then investigates and evaluates the information contained in

the reports and makes a determination.

9. If there is any substantiation, the application is denied.
10. However, if the CPS/APS check reveals no substantiations and there are no other non-compliance issues, payment is effective the date the DPHHS-87 was received at the CCR&R.
11. If the CPS/APS check comes back with a substantiation, the application is denied and the applicant is notified in writing and advised of their right to a Fair Hearing.

CCR&R Procedure

When the CCR&R office receives a Legally Unregistered and/or In-Home Provider Application for State Payment Only (DPHHS-HCS/CC-087) form requesting approval as a legally unregistered or in-home day care provider for state payment purposes, the CCR&R worker will:

1. Review the application for completeness of information and;
2. Conduct a CPS/APS and criminal records check to determine if the applicant has any substantiated child abuse/adult abuse and/or neglect incidents or been involved in crimes that resulted in harm to people.
3. Inform providers that if they wish to care for more than two children of different families they must become registered.
4. Inform applicants that they will not be approved until the parents of the children they are applying to care for have been determined eligible for subsidy
5. Inform the applicant that they will be responsible to negotiate payment with the parent(s) if the applicant is denied.
6. Provide related payment process information so the provider knows what to do in order to receive payment for the children who have been certified to receive child care services.
7. Inform the provider they must attend, within six (6) months of the effective day of the approval, a child care provider orientation offered by the CCR&R on fire, safety, immunization, and health records of each child in care.
8. If approved by the Evaluating Official, the CCR&R worker will:
   Enter the information into CUBBS and CUBBS will issue a "for payment

purposes only" provider number.

Denials

When the application for Legally Unregistered Provider status is denied, the DPHHS worker will follow the same procedure for issuing a letter of denial as is used for denying a registration application. (See Addendum 815-10 Child Care Policy Manual). The applicant should also be notified of the right to a Fair Hearing in accordance with Addendum 815-10, Child Care Policy Manual.

Recertification

All current Legally Unregistered Providers will receive one letter from the CCUBS system or CCR&R six weeks before their period of certification end, reminding them that they need to renew their certification. This will be sufficient notice to Legally Unregistered Providers that their renewal time is near.

Mandated Reporters

All Legally Unregistered Providers are mandated reporters of child/adult abuse and neglect. See section 1-7 of this manual for further information.

Substitute Care Giving

All Legally Unregistered Providers are subject to the rules for substitute care giving as related in section 1-10 of this manual.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Issuing the Child Care Certification Plan**

Supercedes: **Child Care 6-3 (1/1/02)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA; Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM**
45 CFR Part 98

General Rule

Best Beginnings Child Care Scholarships are issued through a child care certification plan, authorizing care for up to six months. The child care hours approved must mirror the approved parent and child's activities:

- Parent's work, school, & Family Investment Agreement (FIA) activities requiring child care, allowing for travel time.
- The child's schedule, e.g., school, or alternative care arrangements

The certification plan is mailed to the parent and the provider with the following information:

- The name(s) of the children authorized for care.
- The name of the child care provider authorized to provide care.
- The number of hours per week for which Best Beginnings Child Care Scholarship is authorized.
- The number of months for which authorization is granted.
- The amount of monthly co-payment, which the parent must pay to the provider.

Prospect the Length of the Child Care Certification Plan

Prospect eligibility based on the information known at the time of application or re-certification. If the household anticipates a change in the reason or the need for child care, set the length of the child care certification plan to end when the household change occurs:

- If it is known that the applicant will not be eligible in the near future, because the reason or the need for child care will change, set up the certification plan for the period of eligibility.
- If a change in eligibility is not prospected in eligibility, set up a certification plan for six months.

Once eligibility is correctly prospected, a child care certification plan should be issued as soon as possible. If a delay occurs, such as waiting for LUP background checks, issue the child care certification plan based on the date eligibility was determined.

NOTE: Should the eligibility specialist find out the family was not actually eligible when the determination was made, due to misinformation of some type, a certification plan would not be issued.

A child care certification plan may be modified or terminated at any time. Ten (10) days before any reduction of the Best Beginnings Child Care Scholarship, a new child care certification plan, or closure notice, is mailed to the parent and the provider. See "Change Reporting," (6-4)

Maximum Hours

Child care may be authorized for up to 20 hours per day. (24-hour care will be paid as two full-time days.) However, care in excess of 10 hours/day may be approved only when the parent's activity exceeds 10 hours/day. Verification of the work/school/FIA schedule must be received from the employer before care in excess of ten (10) hours/day will be approved.

- ⇒ Verify approved work/school/FIA schedules before authorizing care in excess of ten (10) hours per day
- ⇒ Case note the reason for authorizing a child care certification plan in excess of 10 hours per day

Head Start Wraparound

If the parent's schedule warrants, a full day of child care may be certified for Head Start Wraparound programs.

EXAMPLE: A parent works full time and his or her child attends a Head Start that offers child care before and after the 'Head Start day.' The child care certification plan may be issued for the full day, including the time the child is in Head Start.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Issuing the Child Care Certification Plan**

Policy	Requirements
Parent is Unavailable	A parent must be participating in approved work/school/FIA activities when using their Best Beginnings Child Care Scholarship. In very limited circumstances, it may be determined that a parent is temporarily unavailable to care for their children, because: ❑ The parent is unable to provide a safe environment for the child(ren), due to a mental, addictive or physical limitation; or ❑ The parent is tending to the medical emergency of an immediate family member. ➢ ⇒ Case note the assessment that determined the reason a parent is unavailable to care for their child(ren) ⇒ Revisit the parent's availability at recertification
Rehabilitation? - Only if Working	Best Beginnings Child Care Scholarships are not available for rehabilitation activities, when the family does not meet a work requirement.
Respite Care? - Only if CPS ➢	Best Beginnings Child Care Scholarships are not available for respite care, unless a social worker from the Child and Family Services Division (CFSD) refers the family for Child Protective Services authorizes (CPS) child care.
Sleep Time	Sleep time may be approved for parents working or attending education or training activities during the night on a very limited basis, only if no other resource exists. Verify and document the arrangement in case notes. ⇒ Verify work/school schedule ⇒ verify no other resources exist ⇒ Case note factors affecting the child care schedule
Split Work Shift ➢	A Best Beginnings Child Care Scholarship may span the break in a split work shift, if it is impractical for the parent to pick up their children during the break. At a minimum, the following factors should be considered:

Policy	Requirements
	❑ Length of break ❑ Travel time and travel arrangements ❑ Child's schedule while in care (e.g. nap time?) ⇒ Case note the factors affecting the child care schedule
Study Time ➢	Generally, study time is not allowable. However, a Best Beginnings Child Care Scholarship may span the break between classes, if it is impractical for the parent to pick up their children during the break. At a minimum, the following factors should be considered: ❑ Length of parent's break ❑ Parent's travel time and travel arrangements ❑ Child's schedule while in care (e.g. nap time, lunch time?) ⇒ Case note the factors affecting the child care schedule If the Best Beginnings Child Care Scholarship spans the break between classes, a student may use this time to study. EXAMPLE: A post-secondary education student has class from 8:00 to 10:00 a.m., and class from 1:00 to 3:00 p.m. A Best Beginnings Child Care Scholarship may be used to cover the period between 10:00 and 1:00. Students may use a Best Beginnings Child Care Scholarship to complete out-of-home lab work. ⇒ Verify the need for out-of-home lab time Students are not eligible for Best Beginnings Child Care Scholarship during in-home study time.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Issuing the Child Care Certification Plan**

Policy	Requirements
Maintaining Continuity of Care	As a family's circumstances change, eligibility issues may interrupt the child care certification plan and the child's continuity of care. See "Continuity of Care" (6-6), in this manual, for policies intended to help maintain the child care certification plan during transition periods: ❑ Certified Enrollment ❑ Extending Child Care Hours ❑ Fill-the-Gap ❑ Grace Period ❑ Hold-the-Slot ❑ Holidays ❑ Medical Appointments ❑ Medical Emergency ❑ Suspending a Case

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Co-payment Requirements**

Supercedes: **Child Care 6-4 (7/01/01)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA; Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM**
45 CFR Part 98

General Rule: Each family receiving a Best Beginnings Child Care Scholarship pays part of the cost of child care. Each family is obligated to pay a co-payment to their child care provider by the end of the service month. The co-payment is based on their family size and gross income, as illustrated on the Montana Child Care Sliding Fee Scale (1-5).

The required co-payment is considered the initial down payment for the child care scholarship each month. A family loses eligibility for further child care scholarships if they do not pay the co-payment, or make satisfactory arrangements with their child care provider.

NOTE: There is no co-payment obligation when the reason for care is CPS.

Cost of Care is Less than the Co-payment If the month's cost of child care is less than the monthly co-payment obligation, the family is obligated to pay only the cost of care, not the full co-payment indicated on the child care certification plan.

Disputed Co-payments Parents who fail to pay their co-payment by the end of the service month will lose the Best Beginnings Child Care Scholarship until the co-payment is paid. The child care provider indicates the amount of co-payment received on the monthly invoice.

For the purposes of determining a family's eligibility for a Best Beginnings Child Care Scholarship, the first payment(s) made to the provider will be counted toward satisfying the parent's co-payment obligation. Any other unpaid fees (over-and-above State rates, late charges, etc.) are not considered for the

purpose of maintaining the parent's eligibility for the Best Beginnings Child Care Scholarship and are solely the responsibility of the parent and the provider.

Notice of Unpaid Co-payment

Parents receiving a Best Beginnings Child Care Scholarship shall pay their co-payment by the end of the service month. If the parent does not pay their co-payment, or make satisfactory arrangements with their provider, the CCR&R Specialist shall:

- ⇒ Request verification within 10 days, notifying the parent and provider.
- ⇒ If verification of payment (or satisfactory arrangement) is not received, close the case.
- ⇒ Provide notice to the parent and provider 10 days before case closure.
- ⇒ The parent has until the closure date to verify that they have paid the required co-payment
- ⇒ Case note

- ❑ If the family provides written verification from their provider that they have paid the co-payment by the deadline, the Best Beginnings Child Care Scholarship may continue.
- ❑ If the parent does not provide written verification by the deadline, the eligibility specialist shall close the scholarship. Fair Hearing rights are included on the closure notice. The CCR&R shall notify the provider the Best Beginnings Child Care Scholarship is closed.
- ❑ If the parent pays their co-payment after the Best Beginnings Child Care Scholarship is closed, the family may be eligible beginning on the day the co-payment was paid or verified, under the following conditions:
  - o Eligibility must be re-determined, and;
  - o Child Care and Development Funds must be available

Satisfactory Arrangements in Lieu of Cash Co-payment

A parent may compensate a child care provider with goods or services in lieu of paying the co-payment in cash. The child care provider indicates their satisfaction with the arrangement by marking the co-payment as paid-in-full on the monthly invoice.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Change Reporting**

Supercedes: **Child Care 6-5 (7/01/01)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA;**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98

Change Reporting Requirements

Income eligible families receiving a Best Beginnings Child Care Scholarship based on work/school/FIA activities shall report any change in circumstance, which may affect their eligibility, or their need for child care, to the Child Care Resource and Referral (CCR&R) agency within ten (10) days of knowing the change. Changes reported to the CCR&R by telephone shall be verified in writing.

➢ Reporting changes to other DPHHS or State entities is not adequate. The report must be made to the CCR&R. However, the CCR&R may accept a copy of the participant's written change notice submitted to another agency, in lieu of the Change Report Form (DPHHS-HCS/CC-016), if the information satisfies the CCR&R's need for information.

EXAMPLE: A parent participating in the TANF program reports an address change to the OPA office. The CCR&R may accept a facsimile of the change report provided to the OPA office.

If the change is reported by telephone, the CCR&R Eligibility Specialist shall follow up by sending the Change Report Form (DPHHS-HCS/CC-016) to the parent to confirm the change, sign and return it to the CCR&R.

⇒ Case note the change report and request confirmation on Change Report Form (DPHHS-HCS/CC-016)

Families should use the Change Report Form (DPHHS-HCS/CC-016), to report changes to their CCR&R Eligibility Specialist. The form reminds parents of the reporting requirements:

- Change in employment of any household member
- Loss of employment to less than the minimum hourly work requirement

- The addition or loss of a household member
- A change in mailing or residence address
- A change in school attendance
- A change in child care provider (report immediately)
- Entering or leaving the TANF Cash program

Additionally, TANF families should be reminded to report changes to their OPA Eligibility Case Manager on the TANF Change Report Form (DPHHS-HCS-260).

A child care certification plan may be modified or terminated at any time. When the CCR&R Eligibility Specialist makes a change in a Best Beginnings Child Care Scholarship, the parent shall be notified in writing. When the CCR&R or State takes an adverse action, a notice is mailed to the parent ten (10) days before the action.

Case Notes
➢

Whenever the CCR&R Eligibility Specialist considers a change, the assessment shall be documented in case notes, if the information is not somewhere else in the system. Case notes shall be made at, but not limited to, the following stages while serving a family:

- Eligibility determination
- Change reports (any relevant communication)
- Scholarship closure

Include information regarding eligibility including, but not limited to, the following assessments:

- Household membership
- Income
- Activities (parent & child schedules)

There is no need to repeat information captured elsewhere in the system, unless further explanation is needed.

EXAMPLE: A parent fails to recertify and there has been no communication between than parent and the CCR&R, other than routine notice mailings. The Eligibility Specialist closes the case using

"Failed to Complete Application/Re-certification" as the reason. Assuming there are no other circumstances to report, the closure reason is adequate.

CCR&R Evaluates the Change

If any change in circumstance is not prospected when eligibility is determined, the change must be evaluated when reported to the CCR&R. Depending on the change circumstances, the family may:

- Make adjustments to allow Best Beginnings Child Care Scholarship to continue for their child:
  - Change in child care provider
  - Child moves to another Best Beginnings Child Care Scholarship household
  - Family moves within Montana
- Benefit from a change which increases their Best Beginnings Child Care Scholarship:
  - Request more child care hours
  - Request a lower co-payment, because income decreased or household size increased
    - ⇒ Run a what-if scenario
- Postpone some changes which decrease their Best Beginnings Child Care Scholarship:
  - A change in income is not to be considered until re-certification, unless it benefits the family
  - The loss of a household member, unless a child moves to another Best Beginnings Child Care Scholarship household
- Lose eligibility for the Best Beginnings Child Care Scholarship:
  - Loss of TANF Cash eligibility
  - A teen parent is no longer attending high school (or meeting the work requirement)
  - The parent is not meeting the minimum hourly work requirement
  - A household change relieves the need for child care
  - A change in work schedule relieves the need for child care
  - The child care provider is not certified for payment
  - Parent fails to pay co-payment

- No longer a need for child care

What-If Scenario

The net effect of some Non-TANF household changes may not be clear. For example, a parent may return to the household, bringing a nominal amount of income to the household. The Child Care Resource and Referral Eligibility Specialist may present options to the family:

- ⇒ Run a what-if scenario by entering the household change(s), including the income and the proposed child care hours
- ⇒ Present the family with the option of keeping the current arrangement or incorporating the changes.
- ⇒ If the household change benefits the family, the family may choose to re-determine eligibility and a request a new child care certification plan.
- ⇒ If the change is not favorable to the family, the CCR&R should council the family regarding the pending impact of the household change at re-certification time.
- ⇒ Case note

Failure to Change Report
➢

The CCR&R Eligibility Specialist shall evaluate changes that were not reported in a timely manner. While the parent has an obligation to report changes within 10 days, the consequence of not reporting depends on whether the change causes a loss of basic eligibility. Failure to report, in itself, does not cause eligibility to be lost. Income changes generally do not create basic eligibility issues during the certification span. However, the failure to meet the work requirement does create a basic eligibility issue.

Assuming income was prospected correctly when eligibility was determined, the increase in income does not affect the family's eligibility during the certification span. The family maintains basic eligibility when income fluctuates during the certification plan. Failure to report the income change before recertification may simply result in a family losing eligibility, under short notice, when the family recertifies.

The change in employment does raise a question about basic eligibility. A

family no longer meeting the work requirement loses eligibility, however, we allow 10 days for change reporting.

If the parent reports an employment change within 10 days, and:

- income decreases, the parent may be eligible for a lower co-payment; or,
- if income increases, the parent may be counseled regarding a future increase in co-payment or future eligibility loss occurring at recertification time; or,
- if employment is lost, the parent may be eligible for a Grace Period.

If the parent fails to report an employment change within 10 days, and:

- the parent takes another job to meet the work requirement within 10 days, the parent still maintains basic eligibility; the parent is reemployed before the reporting period expires. The employment change does not cause eligibility to be lost. Nor does failure to report cause eligibility to be lost. In this situation, the parent would not be subject to overpayment for this period, assuming child care is used for appropriate activities.
  Or,
- If unemployment extends beyond 10 days without a change report, the parent loses eligibility. The parent also loses the opportunity to apply for the grace period. If the CCR&R were to know of the unemployment, at this point the child care scholarship would be closed. The parent's failure to report unemployment simply delays the CCR&R's knowledge of the family's ineligibility; the child care scholarship still needs to be closed. After eligibility is lost, any further use of the child care scholarship is subject to overpayment. Any subsequent employment does not rekindle eligibility, unless the family reapplies.

Change	Policy
Child is Temporarily	Remove a child's needs from the household if he/she is gone from the home for more than 30 days.

Change	Policy
Absent ➢	❑ If the only eligible child in a child care scholarship is gone from the home for 30 days, close the child care scholarship. ❑ If one child, of two or more eligible children, in a household is gone for more than 30 days, remove his/her needs from the child care scholarship. ⇒ Case note EXAMPLE: A mother has a work related training that takes her away from home for a week. Her child stays with a family friend for the week. The child care scholarship remains valid during the temporary absence. EXAMPLE: Children live with one parent for the school year and the other parent for the summer. If they are absent from either residence for more than 30 days, their child care scholarship will close.
Child Moves In or has Newborn ➢	A new child may join a participating household without being placed on the Non-TANF waiting list. ⇒ Verify household membership ⇒ Add the child and his/her needs to the household ⇒ Re-determine eligibility, if a lower co-payment is desired. ⇒ Case note
Child Moves Out ➢	A child who moves to another household for more than 30 days shall be removed from the previous child care scholarship household and considered part of the new household. If the new household needs help with child care, a new separate scholarship application is required. NOTE: A child may concurrently participate in two households. ⇒ Case note
Co-payment – Failure to Pay	When a parent fails to pay their co-payment, review "Co-payment Requirements," (6-4):

Change	Policy
	⇒ Request verification within 10 days, notifying the parent and provider. ⇒ If verification of payment (or satisfactory arrangement) is not received, close the child care scholarship. ⇒ Provide notice to the parent and provider, 10 days before child care scholarship closure. ⇒ The parent has until the closure date to verify that they have paid the required co-payment ⇒ Case note
Family Loses Eligibility ➢	Families may lose eligibility during a child care certification plan. Evaluate the circumstances in an effort to offer continuity of care for the child and family. See "Continuity of Care" (6-6). Non-TANF: ⇒ End-date the certification plan concurrent with the end of eligibility. ⇒ If a family fails to recertify, the certification plan expiration serves as closure notice. ⇒ If child care will end before the current certification plan expires, notify the parent & provider ⇒ Note the closure reason ⇒ Case note the assessment leading to the closure, when eligibility guidelines are no longer met by the family TANF: Loss of TANF Cash eligibility; closure alert from TEAMS: ⇒ End-date the certification plan concurrent with the end of the TANF Cash benefit month, or before, if warranted. ⇒ Evaluate eligibility for Non-TANF Best Beginnings Child Care Scholarship ⇒ Notify parent and provider, if child care will end before certification plan expires

Change	Policy
	⇒ Evaluate eligibility for Non-TANF Best Beginnings Child Care Scholarship ⇒ Note the Closure Reason ⇒ Case note the assessment leading to the closure, when family no longer need care to continue FIA activities
Family Moves ➢	A family that moves to another location in Montana may maintain eligibility during the move. All reporting requirements apply, however, the move, in itself, does not cause a family to lose eligibility. If a parent changes jobs within the 10-day reporting period and maintains eligibility, the CCR&R may not need to re-determine eligibility. The child care scholarship may be transferred to a new Eligibility Specialist within Montana. ⇒ Verify and update new address ⇒ CCR&R Eligibility Specialists shall contact each other to coordinate the move ⇒ Case note NOTE: A family who moves out of Montana loses eligibility for Montana's Best Beginnings Child Care Scholarship.
Head-of-Household Change ➢	A change in the head-of-household does not create a break in eligibility, as long as all other eligibility factors are maintained. ⇒ Verify household membership ⇒ Case note household changes in both cases.
Household Member Moves Out ➢	A decrease in household size, which was not prospected when eligibility was determined, does not affect eligibility or the co-payment until re-certification time. ⇒ Verify household membership ⇒ File the change report form for reference at re-certification ⇒ Case note

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Change Reporting**

Change	Policy
Income Decreases ➢	If a Non-TANF family's income decreases and they request to have their co-payment lowered, evaluate the family's work hours and income. Prospect the next month's co-payment accordingly: ⇒ Verify income change ⇒ Adjust the certification plan and reevaluate the family's income to prospect a lower co-payment ⇒ Provide the 'Request Grace Period . . .' application to the family o If the grace period is applicable, maintain the child care hours for 30 days o If the grace period does not apply, reduce the child care hours to reflect the new work & school schedule ⇒ Notify the parent and the provider of the change or closure o If the family no longer meets the work requirement, close the child care ⇒ Case note
Income Increases	An increase in income, which was not prospected when eligibility was determined, does not affect eligibility or the co-payment until re-certification time. ⇒ File the change report form for reference at re-certification ⇒ Case note NOTE: If income was not prospected correctly, the eligibility specialist shall reevaluate eligibility based on the correct information.
More Child Care Hours Needed	A family needs more child care for approved work, school, or FIA activities. ⇒ Verify need ⇒ Adjust the child care hours without reevaluating income (Non-TANF) ⇒ Notify the parent and the provider of the change ⇒ Case note

Change	Policy
No Need for Child Care	An employment or household change relieves the need for child care. ⇒ End the certification plan ⇒ Notify the parent and provider ⇒ Case note ⇒ If TANF Cash, notify OPA/WoRC Case Manager via e-mail EXAMPLE: One parent takes a night shift and is available to care for the children during the day. If the Best Beginnings Child Care Scholarship is no longer needed, close the case. EXAMPLE: Child moves out of the household, resulting in no need for care -or- the second parent moves back in and is available to care for the children.
Parent Moves In	When a parent is added to the household, the family size increases and household income may increase. The Eligibility Specialist may run a what-if scenario and present options to the family: ⇒ Run a what-if scenario by entering the household change(s), including the income and the proposed child care hours ⇒ Present the family with the option of keeping the current arrangement or incorporating the changes. ⇒ If the household change benefits the family, the family may choose to re-determine eligibility and a request a new child care certification plan. ⇒ If the change is not favorable to the family, the CCR&R should council the family regarding the pending impact of the household change at re-certification time. ⇒ Case note
Parent Moves	When a parent moves out of the household, the need for a child care

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Change Reporting**

Change	Policy
Out	scholarship may increase. ⇒ Re-determine eligibility, if a lower co-payment is desired. ⇒ Case note
➢	Parents in the process of divorce or separation may individually continue participation under separate households, as long as all other eligibility factors are maintained. NOTE: A child may concurrently participate in two households.
Provider Change	The parent may choose a new child care provider at any time. The child care certification plan links the child/family to the child care provider. The child care certification plan must list the child's current provider before a Best Beginnings Child Care Scholarship can be issued. The parent should plan when changing child care providers. If the parent is unable to give prior notice, the parent shall notify their Child Care Resource and Referral (CCR&R) agency about changing providers with in one business day: ⇒ Adjust the certification plan to reflect the new provider, maintaining the same end-date and eligibility information ⇒ Notify the parent and the provider ⇒ Case note NOTE: The parent & the child care provider are responsible for notifying each other of changes. They are responsible for any notice obligations or agreements between them.
Provider Not Certified for Payment	The provider is not certified to receive State payment: ⇒ End the certification plan ⇒ Notify the parent and provider ⇒ Case note ⇒ If TANF Cash, notify OPA/WoRC Case Manager via e-mail

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Change Reporting**

Change	Policy
Teen-Parent No Longer in School	A Non-TANF teen-parent, who no longer attends school, may continue receiving a child care scholarship if he/she meets the work requirement. ⇒ If the parent is meeting the work requirement, change the reason for care to 'Working.' ⇒ If the parent is not meeting the work requirement, close the child care scholarship. ⇒ Case note
Teen-Parent On Summer Break	A teen-parent may maintain eligibility for child care scholarship if they meet the work requirement during summer break. ⇒ Use 'Working,' as the reason for care for the summer. ⇒ Case note The child care scholarship will be closed for the teen-parent who does not meet work requirements during the summer. The teen-parent may reapply when returning to school.
Work Requirement Not Met	A reduction in work hours to less than the minimum hourly work requirement. ⇒ Provide the 'Request Grace Period . . .' application to the family o If the grace period is applicable, set the certification plan to end in 30 days following employment loss o If the family no longer meets the work requirement and the grace period is not applicable, close the child care ⇒ Notify the parent and provider of the closure date ⇒ Case note

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Continuity of Care**

Supercedes: **Child Care 6-6 (7/01/01)**

References: **Sections 52-2-701-704, 52-2-711-713, 53-4-610 MCA;**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM
45 CFR Part 98

Incorporated by reference in ARM 37.80.201 (8)

General Rule

After the child care certification plan is issued, a family's schedule may vary. While a family's child care certification plan may be modified or terminated at any time, the following policies are useful in avoiding temporary gaps in eligibility and services to children. The policies can be grouped under the following intentions:

- Maintain Parent's Eligibility
- Meet the Parent's Need for Additional Child Care
- Stabilize Child Care Arrangement

While all of these policies benefit the family, some are focused on the needs of their child care providers, who would not be available without adequate compensation. The relationship of the child with their provider depends on the stability of the Best Beginnings Child Care Scholarship. The CCR&R, the family and the provider all have an interest in maintaining continuity of care during transition periods.

Scholarship Will Not Pay More Than Others Pay

In all cases, the Best Beginnings Child Care Scholarship will not pay more for services than non-scholarship parents pay for the same service. Child care provider policies must treat all families equally, with regard to the following Best Beginnings Child Care Scholarship policies. Providers must submit a copy of their written policies to the CCR&R to document these practices before scholarship payments will be approved under the following policies:

- Holidays
- Certified Enrollment
- Hold-the-Slot

Scholarship Will Not Pay Twice

In all situations, the Best Beginnings Child Care Scholarship will not pay twice for the same care. When a parent chooses to move to a new child care provider, the Child Care Scholarship follows the child. The parent is responsible for any notice or payment obligation to the previous child care provider.

EXAMPLE: Certified enrollment days are not available to the previous provider when a child moves to another child care setting. The benefit moves with the child and is available to the current child care provider.

Maternity Leave Not Covered, Unless . . .

Best Beginnings Child Care Scholarships are not available for normal maternity leave. However, one of the following policies may apply:

- Certified Enrollment
- Hold-the-Slot
- Medical Emergency
- Suspending a Case

Policy	Description & Requirements
Certified Enrollment Days – ***Stabilize Child Care Arrangement***	Certified Enrollment (CE) is a Best Beginnings Child Care Scholarship benefit provided to the parent who is responsible for paying their child care provider when a child is temporarily absent from full-time care in a licensed or registered child care facility. Legally unregistered care does not qualify for this benefit. Part-time child care certification plans do not qualify for this benefit. The following restrictions apply: ❑ The provider shall be licensed or registered. ❑ The child shall be certified for full time care in the facility (30+ hrs/week on a regular basis). ❑ Provider shall be open for business while the child is absent. ❑ The provider must charge non-scholarship families when their children are absent. ❑ CE hours claimed must reflect the time the child was scheduled to be in attendance

Policy	Description & Requirements
	❑ The child shall return to the provider following the absence. ❑ CE Hours are not to be claimed when a parent/child does not intend to return to the full time placement in the child care facility. ❑ No more than 150 CE Hours may be claimed during one State fiscal year (July 1 – June 30). ❑ CE Hours are converted to 'Days' in the same manner as hours are converted to full days. Ten CE Hours will be assessed for a full CE day of six to ten hours. The provider claims Certified Enrollment hours on the invoice, when billing for absent time. CE hours are reported on the provider's monthly Statement of Remittance (SOR) and the parent's monthly Explanation of Benefits (EOB).
Extending Child Care Hours – ***Meeting the Parent's Need for Child Care***	A family may have a need to temporarily extend hours beyond the current certification plan. The CCR&R eligibility specialist may approve additional hours beyond the limit of the child care certification plan if the need is verified. Document the need for more hours with written verification. ⇒ Verify the need for additional child care. ⇒ Document the need for additional care on CCUBS: ▪ Enter reason for additional care on the comment line on the invoice screen; or, ▪ Case note the reason for additional care. ⇒ When an invoice requires an override, the individual authorizing the override shall use the upper comment lines to note the reason for the override. ⇒ Keep hardcopy documentation on file: ▪ Case file: written notes from parents, employers, or school officials ▪ Invoice file: hand written comments ▪ General File: School calendars, or similar materials, or documentation of community events that affect a number of families. CCR&Rs shall keep hardcopy records as reference for five years to fulfill

Policy	Description & Requirements
	audit requirements. EXAMPLES of these situations include, but are not limited to, the following: ❑ A child, who normally attends child care only after-school, has a full day out of school. ❑ A parent must tend to the medical emergency of an immediate family member. ❑ A parent picks up an additional work shift on short notice. ❑ A parent has a short-term employment, or training, related schedule change.
Fill-the-Gap – ***Maintain Parent's Eligibility***	If the family is in transition from one assistance program, to another, basic eligibility may be temporarily jeopardized. CCR&R Eligibility Specialists may extend a Best Beginnings Child Care Scholarship to the end of the benefit month in an effort to maintain continuity of care to bridge the gap between programs. ⇒ Case note the period of transition and the need for care during the transition EXAMPLE: A TANF Cash participant finds employment after TANF benefits are issued for the month. The parent needs child care to begin work. Since the new job was not prospected at the time TANF Cash eligibility was prospected, a dependent care disregard is not immediately available. A Best Beginnings Child Care Scholarship may be provided to fill-the-gap when a family transitions out of the TANF Cash program.
Grace Period – ***Maintain Parent's Eligibility***	When a parent loses employment, eligibility for the Best Beginnings Child Care Scholarship is jeopardized. The purpose of the Grace Period is to support the parent's effort to look for work while maintaining continuity of care for the child(ren) and to stabilize the relationship with the child care provider. The Grace Period allows the current Best Beginnings Child Care Scholarship to

Policy	Description & Requirements
➢	continue for 30 days following the job loss, based on the date the employment change occurred (not the date reported to the CCR&R). Additionally, if the family experiences a reduction in child care hours, the grace period allows current child care arrangements to continue for 30 days. EXAMPLE: A family may request a lower co-payment because work hours have been reduced yet they still meet the minimum work requirement. If the grace period is granted, child care hours may be maintained for 30 days to ease the transition to fewer child care hours. This provides time for the parent and provider to make necessary adjustments in the care arrangement. If the parent reports the employment reduction, or job loss, to the Child Care Resource & Referral within ten (10) days, the parent may apply for a Grace Period for Child Care Assistance (DPHHS-HCS/CC-012). The grace period may be granted, or denied, by the CCR&R Eligibility Specialist, depending upon the circumstances indicated on the 'Grace Period' application. All of the following restrictions apply: ❑ The parent shall report the job loss, or reduction in employment hours, to the CCR&R within ten (10) days. ❑ The parent shall apply to extend the child care scholarship on the Request Grace Period for Child Care Benefits form (DPHHS-HCS/CC-012). ❑ The parent shall demonstrate good cause for losing employment, or employment hours. ❑ The parent shall be looking for employment. ❑ The CCR&R Eligibility Specialist has the discretion to grant, or deny, the grace period based on the good cause evaluation. ❑ While one purpose of the grace period is to maintain child care arrangements, the eligibility specialist has the flexibility to adjust the child care schedule so the parent can look for work. EXAMPLE: After losing a job, in which they worked the graveyard shift, a parent may need daytime child care for job search activities.
➢	

Policy	Description & Requirements
	❑ Only one grace period may be granted per job loss; grace periods may not be granted concurrently. ➢ ❑ There is no explicit limit to the number of times a parent may use the Grace Period. However, the CCR&R Eligibility Specialist has the option of denying the request based on the apparent misuse of the benefit. When a parent is approved for the grace period: ⇒ Re-determine eligibility. ⇒ Issue a new certification plan that ends 30 days following the work reduction/job loss. o If the parent finds a job, prospect and verify eligibility. o If the parent does not return, the certification plan will serve as notice that the Child Care Scholarship ends. No overpayment will be due. ⇒ Case note the new eligibility information and any need for a schedule change. ⇒ The CCR&R Eligibility Specialist completes the Request Grace Period for Child Care Benefits form (DPHHS-HCS/CC-012) and mails it to the Early Childhood Services Bureau. ➢ Eligible parents using the grace period for the Non-TANF Child Care Scholarship may receive one month of TANF Cash benefits while seeking employment to regain eligibility for the Non-TANF Scholarship. Two specific limitations apply: ❑ The parent shall have new employment starting before the end of the grace period, which maintains their Non-TANF eligibility. ❑ The parent's TANF Cash case will close when the Non-TANF grace period ends. If the parent's TANF Cash case does not close at the end of the grace period, the family will lose eligibility for Non-TANF child care: ⇒ OPA may refer the family for TANF child care on form DPHHS-HCS-051, attaching a copy of the AE-SEPA screen to each copy of the

Policy	Description & Requirements
	referral form. ⇒ Upon referral, the CCR&R may open the family on TANF child care, consistent with FIA & employment activities.
Hold-the-Slot - ***Stabilize Child Care Arrangement***	In very limited, prior arranged situations, Best Beginnings Child Care Scholarship payment can be paid to licensed or registered child care providers to hold a child care slot, even though the child is not in attendance. The child's certified enrollment days must be used first. When a parent is between eligible activities or the child is temporarily absent, care may be certified to hold-the-slot, on a one-time basis, for up to 30 days. A Best Beginnings Child Care Scholarship payment can be authorized to pay the provider to hold-the-slot for a child only if the provider provides proof they would give the slot away to a specific family if the payment was not made: ❑ The provider must be licensed or registered. ❑ The child care provider provides a written, signed statement from the provider stating their policy to charge families when the child is absent. Best Beginnings Child Care Scholarship payment will only be made if the provider charges non-scholarship families for the same service. ❑ The provider must make prior arrangements with the CCR&R to hold-the-slot during the temporary absence. ❑ The child care provider provides a list of the children who would potentially fill the slot. ❑ The child must be enrolled full time at the facility (30 hrs. /week+) ❑ The child's certified enrollment days must be used before a provider may use hold-the-slot. ❑ The child's absence may not exceed 30 calendar days ❑ Whether the child is in attendance or not, the parent is responsible to pay the provider the monthly co-payment. ❑ Hold-the-slot may not be used in concurrent periods ❑ Hold-the-slot is not limited to 30 days total, in a calendar year. EXAMPLE: A work-study college student has three weeks of the

Policy	Description & Requirements
	Christmas holiday off. The family leaves town, but the child care provider has another child on her waiting list, which might take that slot if the parent does not pay to reserve the slot. It is her policy to charge non-scholarship families whether the children are there or not. Certified enrollment days have been used. After getting proof of the policy and the waiting list child, cover the 3 weeks if all other eligibility factors are met. When a parent and provider request to hold-the-slot, the CCR&R shall: ⇒ Verify the full time child's certified enrollment days will be, or have been, used first. ⇒ Verify the provider has someone who would fill the slot, if the child left the slot vacant. ⇒ Remind the parent that the co-payment is still payable when holding the slot. ⇒ Case note the arrangement, before the hold-the-slot period begins.
Holidays – ***Stabilize Child Care Arrangement***	If licensed or registered providers charge all families for certain holidays, even though their facility is closed, providers may bill the Best Beginnings Child Care Scholarship on behalf of assisted families when a period of authorized child care falls on the observation of that holiday. ❑ The provider shall be licensed or registered. ❑ The provider shall provide verification that they charge non-scholarship parents for the same service. ❑ The provider shall bill for the number of hours normally scheduled for that child on that day-of-the-week. ❑ The following holidays qualify under this benefit: ✓ New Years Day ✓ Memorial Day ✓ Fourth of July ✓ Labor Day ✓ Thanksgiving Day ✓ Christmas Day ❑ If the holiday falls on a weekend, the provider may apply the holiday

Policy	Description & Requirements
	policy on the day that the State of Montana observes the holiday.
Medical Appointments – ***Meet the Parent's Need for Child Care***	Parents, who meet activity/work requirements, may receive a Best Beginnings Child Care Scholarship when they leave work to attend a medical appointment. Additionally, if a medical appointment requires child care and is necessary to increase the parent's ability to work, a Best Beginnings Child Care Scholarship may assist the parent with child care during the appointment. EXAMPLE: A parent is recovering from injuries sustained in a car accident. The initial 'medical emergency' has passed and the parent has returned to work. While the parent does meet the work requirement, they are not yet working full time because of physical limitations. Initially, the parent attends physical therapy sessions for two hours every morning before going to work. Subsequently, physical therapy sessions taper off and work hours increase. A Best Beginnings Child Care Scholarship may be used during the physical therapy sessions.
Medical Emergency – ***Maintain Parent's Eligibility***	A parent's eligibility for a Best Beginnings Child Care Scholarship is jeopardized when they fail to meet their work requirement during temporary, unforeseen interruption due to a parent's, or their child's, medical emergency. All of the following restrictions apply: ❑ The parent must be receiving a Best Beginnings Child Care Scholarship when the medical emergency occurs. ❑ There is a need for child care during the medical emergency ❑ The medical emergency involves the parent, or their child. ❑ The medical emergency must be unforeseen. ❑ The parent must report the medical emergency to the CCR&R within 10 days of beginning of the medical emergency. Exceptions to this reporting requirement shall be considered on a case-by-case basis. ❑ A physician shall verify the parent is unable to care for the child(ren) during the medical emergency. ❑ The parent's current employer shall verify that the parent can return to

Policy	Description & Requirements
	their job following the medical emergency. ▫ Medical emergency Best Beginnings Child Care Scholarships are limited to three months. EXAMPLE: Maternity problems (not a normal pregnancy) may constitute a medical emergency: The CCR&R shall assess changes due to the medical emergency: ⇒ Request a physician's statement to verify the individual's condition. ⇒ Verify the need for child care. ⇒ Verify with the employer that the parent intends to return to work. ⇒ Prospect eligibility under the family's current circumstances. For example, the family's income may be lower due to the medical emergency. ⇒ Set up child care for the periods of time when the parent cannot care for her child(ren) because of her medical condition. ⇒ Use 'Medical Emergency' as the reason for care. ⇒ Issue a new child care certification plan to manage the medical emergency period (3 months, or less). ⇒ When the parent returns to work, re-determine eligibility. ⇒ If the medical emergency is managed retrospectively, income and co-payments cannot be changed retrospectively.
Suspending a Case – ***Maintain Parent's Eligibility***	When a family temporarily loses eligibility, the Best Beginnings Child Care Scholarship may be suspended for 30 days. The case remains open, however the scholarship is not paid. Following the suspension, the family may continue under current eligibility and the child care scholarship may continue. EXAMPLE: The children of a household leave to visit their absent parent. This family's child care scholarship may be suspended for 30 days. If the children return within 30 days, the child care scholarship may be resumed. If the children are out of the household for more than 30 days, the child care scholarship shall be closed.

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Continuity of Care

Policy	Description & Requirements
Refer Back to "Issuing the Child care Certification Plan" ➢	Maintaining continuity of care may involve redefining the intent of the current child care certification plan or issuing a new child care certification plan. Refer back to "Issuing the Child care Certification Plan" (6-3) for additional policies, which may be useful when setting up a new certification plan: ❑ Parent is Unavailable ❑ Sleep Time ❑ Split Shift ❑ Study Time

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Invoice & Payment Processes**

Supercedes: **Child Care 6-8 (7/1/01)**

References: **37.80.315-316, 37.80.502 ARM**

General Rule

The child care certification plan indicates the maximum benefit available for approved activities. If additional care is needed, documentation must support claims. Child care scholarship payments are limited to actual daily attendance, within one-quarter hour, and must be for approved activities only within the limits of the child care certification plan. Sign-in/sign-out sheets must support claims, including corrections and adjustments.

Invoices expire 60 days after the last day of the calendar month in which the service was provided. Invoices must be received by the CCR&R within this period in order to be paid.

If a certification plan is not completed until after the calendar month in which the child care is provided, the claim will be considered to be filed timely if a completed invoice is received by the CCR&R within 60 days after the invoice is sent to the provider.

> EXAMPLE: LUP applies to provide care July 15th and begins providing care. Background checks are completed August 7th and a certification plan for the period of time July 15th to Dec 15th is issued. The July invoice will expire Oct. 13th – 60 days after the invoice was sent to the provider. The August invoice will expire Oct. 30th – 60 days after the end of the month in which the care was provided.

Invoices are submitted to the local Child Care Resource and Referral Agency for processing. In the future, licensed and registered providers in good standing will be able to enter invoice information on the Internet. Direct deposit is a prerequisite to Internet billing.

IRS W-9, AWACS & IRS 1099

Individuals and businesses receiving child care payments must submit an IRS W-9 form to the DPHHS Fiscal Bureau for Agency Wide Accounting Client System (AWACS) payment processing. Generally, IRS W-9 forms are forwarded to DPHHS Fiscal through the Child Care Licensor or the CCR&R. Put the CCUBS Provider 'Person' or 'Organization' number on the IRS W-9 form. IRS W-9 address information must be kept up-to-date in AWACS to avoid payment delays.

NOTE: The tax ID number and the name indicated on the W-9 must match IRS records. If an individual, Jane Doe, is doing business under her personal social security number, she must list her personal name, not a pseudo business name, such as "Jumpin' Jane's Day Care," on the W-9 form. Payments are issued in the name listed. If there is no business account or business tax ID number, a bank may not cash the payment.

Providers, who receive $600.00 or more in child care subsidies and other payments during the calendar year, should receive a 1099 tax statement from the State of Montana. The deadline for mailing 1099s is January 31st. The State reports 1099 information to the United States Internal Revenue Service.

Legally Unregistered In-home (LUI) payments may not generate a 1099. LUI payments are issued directly to the parent who employs the LUI.

Sign-in/Sign-out Sheets

Child care providers serving families participating in the Best Beginnings Child Care Scholarship program are required to maintain sign-in/sign-out sheets to support claims. Sign-in/sign-out sheets must be signed by a parent when the child enters and when the child leaves the child care facility. The following information is required:

- ❑ Child's Name
- ❑ Sign-in Date & Time: Hour & Minute

- ❑ Parent/Guardian Signature on Sign-in
- ❑ Sign-out Date & Time: Hour & Minute
- ❑ Parent/Guardian Signature on Sign-out

A bus driver may sign children in or out.

Child care programs may use a confidential electronic signature, or personal identification number in lieu of a written signature.

If a parent is not available to sign the child in or out, the parent may submit the child's schedule to the provider, indicating the child's attendance and the alternate mode of transportation. The provider shall note the child's time-in and the child's time-out. The parent shall sign the next time the child is signed in or signed out.

EXAMPLE: A parent may not be available to sign a child in, if a school-age child walks to the child care facility. When the parent picks up the child, they shall sign for the time the child arrived and sign the child out.

Incomplete or inaccurate sign-in/sign out sheets may cause the delay or the denial of scholarship payment. The CCR&R may request sign/in/sign-out sheets to verify invoices if questions arise.

Actual Daily Attendance Supported by Sign-in/Sign-out Sheets

Invoices must reflect actual daily attendance and be supported by the child care certification plan, the parent's approved activity schedule, the child's school schedule and by sign-in/sign-out sheets.

If child care is provided outside the parent's schedule of approved activities, the provider may make a personal arrangement with the parent. The provider shall not bill the State for care provided when the parent is not participating in approved activities.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Invoice & Payment Processes**

Accurate Invoices

Invoices must be accurate with in ¼ hour for the day's attendance.

- ❑ Providers may submit exact daily attendance, or;
- ❑ Providers may round daily attendance to the **nearest** quarter hour, if rounding is used consistently. (This does not mean round to the next higher quarter hour)

Provider shall clearly note any billing exception on the comment lines provided on the invoice. Examples include, but are not limited to, the following:

- ❑ Certified Enrollment
- ❑ Holiday
- ❑ Hold-the-Slot
- ❑ Early Release from School
- ❑ School Holiday (requiring full day of child care)

Timely Invoices

Timely claim filing is a prerequisite for payment:

- ❑ Invoices should be submitted to the CCR&R for processing within three (3) business days following the child care service month.

- ❑ Invoices and any invoice corrections must be submitted to the CCR&R within 60 days of the end of the service month or within 60 days of the date the invoice is issued, if the certification plan was issued in the month following the month of service. Generally, expired invoices are NOT eligible for payment.

Excessive Absences

Child care providers are required to notify the CCR&R of unexplained excessive absences (five or more consecutive days) and are asked to notify the CCR&R of irregular attendance, within three working days.

Payment Address

If the payment address is not current, the payment will be sent by return mail, back to DPHHS Fiscal. Anticipate a delay of one to three weeks while the payment is returned to the State, the correct address located, and the payment re-mailed. Providers may avoid payment delay by notifying and sending an updated W-9 before changing their address:

- ❑ Licensed & Registered Providers – Notify Quality Assurance Division Day Care Licensing Program.
- ❑ Legally Unregistered Providers – Notify the local Child Care Resource and Referral agency
- ❑ Parents - Notify the local Child Care Resource and Referral agency

Batch Payments, Warrants, SORs, and EOBs

Invoices are batch processed for cost effectiveness. Child care providers serving several families generally receive one combined payment. CCUBS processes invoices and requests payment through AWACS around 1:00 p.m. on the following days:

- ❑ 5th business day of the month
- ❑ Subsequent Tuesdays
- ❑ The last business day of the month

Warrants (payments) come in an automated mailer format with a brief explanation. A payment advice is mailed to confirm each Direct Deposit. Later in the month, providers receive a detailed Statement of Remittance. Parents receive a similar statement for their family called an Explanation of Benefits.

Direct Deposit

Direct Deposit service for payments to providers is available.

1. The provider completes a 'Direct Deposit Sign-Up Form' at their bank. The provider should include their CCUBS Provider Number (PV*12345*) near the top of the Direct Deposit form.
2. Complete the 'Payee' (1) and 'Government Agency' (2) portions of

the form using the DPHHS Fiscal Bureau address listed below.

3. The provider's bank provides the 'Financial Institution' (3) information. Providers may want to have a deposit ticket available for this purpose.
4. Mail the completed Direct Deposit form to the following address:

DPHHS Fiscal – AWACS
111 North Sanders
PO Box 4210
Helena, MT 59604-4210

- ❑ After direct deposit arrangements are made, the first payment will still come in the mail. This allows DPHHS and the provider's bank to test the direct deposit arrangement without jeopardizing delivery of the payment.
- ❑ Each Direct Deposit requires 2 business days from the date the invoice is processed for electronic fund transfer (EFT) processing. Depending upon mail services, Direct Deposit is almost as timely as payment by mail.
- ❑ The Department will mail a confirmation of each Direct Deposit transaction to the provider. This will have a "settlement date." This is the date the EFT should be at your bank.
- ❑ If, after trying Direct Deposit, a provider wants to return to receiving payments by mail, contact the CCR&R to change the payment method and send a written request to DPHHS Fiscal - AWACS.

Online Invoice Processing

In the future, CCUBS will have online invoice processing available. To use this feature, a provider must have Internet access and Direct Deposit. Arrange for Direct Deposit before setting up online billing. To setup online billing, enter the CCUBS Provider Payment Information (CPPI) module through the Virtual Human Services Pavilion at http://vhsp.dphhs.state.mt.us/.

1. From the Pavilion, select the Human Service button, and then from

the Human Services rotunda, choose the Child Care Resources kiosk. This leads you to child care information. Under the Provider Section, click on CCUBS Provider Payment Information.

2. Print the security access request form and mail it to the address printed on the form. Once a provider has access, they can search for warrant status, child invoices, and submit invoices online.

Recertification Review

➢

At each recertification, the CCR&R Eligibility specialist shall compare the previous month's invoices to the Explanation of Benefits, to the parent's wage stubs, work schedules, school schedules, etc. to insure billing accuracy.

In addition, CCR&R Eligibility specialists shall review a provider's sign-in/sign-out records when questions of accuracy arise. The following situations are indicative that a provider's records need to be reviewed:

- ❑ Parent/provider dispute
- ❑ Employee Report
- ❑ Block Billing - no deviation in attendance
- ❑ Billing above the certification plan
- ❑ Varied schedule that does not vary

If the attendance reported on the invoices is not accurate, the CCR&R shall request one month of sign-in/sign-out sheets for the facility. Review 10% of the children receiving Best Beginnings Child Care Scholarships for the month, comparing hours billed to the provider's records. If the 10% review indicates further inaccuracies, review the entire facility for the month, to determine if an overpayment or underpayment exists.

Once a billing error is identified, the CCR&R Eligibility specialist shall research and pursue the entire correction.

Auditing Internet Invoicing & Attendance

CCR&Rs shall audit 100% of a provider's Internet invoices for the first three months.

After monitoring a provider's initial online invoice, CCR&Rs shall audit 20% of Internet invoices submitted each month in their district.

CCR&Rs shall request sign-in/sign-out records from providers and look for inaccuracies, such as, but not limited to, the following:

- ❑ Block Billing - no deviation in attendance
- ❑ Billing above the certification plan
- ❑ Varied schedule that does not vary

Once a billing error is identified, the CCR&R Eligibility specialist shall research and pursue the entire correction.

Corrections

If inaccuracies result in an underpayment or overpayment, follow policies outlined in 'Corrections & Overpayments,' section 6-9 of this manual.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Corrections & Overpayments**

Supercedes: **Child Care 6-9 (4/1/02)**

References: **37.80.315-316, 37.80.502 ARM**

General Rule

If an error is made when determining eligibility or paying child care for authorized activities, rework the case making corrections, as it should have been managed had the error not occurred. The correction usually results in an underpayment or an overpayment. Once an error is identified, the CCR&R Eligibility specialist shall research and pursue the entire correction.

Overpayments are evaluated to determine if a willful action resulted in the overpayment. In addition, in limited situations, overpayments due to agency error may not be pursued in limited circumstances identified below, under 'Agency Error.'

CCUBS does not interface with DPHHS Accounts Receivable. CCR&R Eligibility Specialists adjust CCUBS invoices and notify A/R of all overpayments, that are not completed through invoice reduction, with the electronic form, 'AR-110C Form.doc.'

Accounts Receivable

DPHHS Accounts Receivable unit manages collections for the department:

1. A/R establishes a collection account using the information provided on the AR-110C form.
2. When payments are not received, A/R sends up to three collection letters.
3. When a balance remains, A/R forwards the account to the Department of Revenue Tax Offset system. Tax Offset monitors all State payments, in attempt to collect the debt. An account balance may be moved to Tax Offset at any time. All unpaid balances are forwarded to Tax Offset before tax season.

Underpayments

If a family or provider has not received the amount due to them, the CCR&R Eligibility Specialist may correct the invoice on CCUBS and issue

the additional payment.

⇒ Case note the circumstances and the calculation of the underpayment

Overpayments

➢ If a Best Beginnings Child Care Scholarship overpayment occurs because of a family or administrative error, the CCR&R Eligibility Specialist will contact the parent, or provider, to verify the error.

⇒ Adjust the invoice in CCUBS

⇒ Notify the parent, or provider, that s/he must repay the amount of the overpayment.

⇒ Attempt to have the parent, or provider, sign a Repayment Agreement, DPHHS-HCS/CC-121.

CCR&R Eligibility Specialists adjusts the invoice in CCUBS. Repayment may be accomplished in any of the following ways:

- The parent must make a monthly payment.
- A provider's payment may be reduced on CCUBS.
- A parent or provider may pay the total amount of the overpayment by check or money order.

Payments must be made out to DPHHS Fiscal and delivered to the CCR&R:

⇒ Credit the account on CCUBS

⇒ Identify the payment as 'child care', so A/R applies the payment correctly

⇒ Include a copy of the A/R-110C

⇒ Forward the payment to DPHHS Accounts Receivable

Overpayment Due to Willful Action

➢ If an overpayment is due to a willful action, the parent or provider is subject to an assessment. On the third offense, the parent or provider loses the right to participate in any of the Best Beginnings Child Care Programs.

A willful action includes but is not limited to the making of a false or misleading statements, a misrepresentation, or the concealment or withholding of facts or information.

1. The first willful action resulting in an overpayment carries a 10% assessment, in addition to the overpayment.
   If the intentional misrepresentation involves over billing by a child care provider, the provider loses the privilege of using the Web invoicing service. In addition, the child care provider will be required to submit sign-in/sign-out sheets to the CCR&R to support invoices for the following three months.

2. The second willful action resulting in an overpayment carries a 25% assessment, in addition to the overpayment.
   If the intentional misrepresentation involves over billing by a child care provider, the provider, will be required to submit sign-in/sign-out sheets to the CCR&R for the following six months.

3. On the third willful action resulting in an overpayment, the parent or the provider loses the right to participate in any of the Best Beginnings Child Care Programs.

Agency Error Results in Overpayment Sent Directly to Parent

In limited situations, when scholarship payments are sent directly to the parent and an agency error results in overpayment, the Department **does not collect an overpayment**. All of the following criteria must apply:

- ❑ Payment is made directly to the parent, not to the provider, and;
- ❑ The Department or CCR&R error causes the overpayment, and;
- ❑ The overpayment is less than 150% of the monthly benefit, and;
  NOTE: If the overpayment extends beyond three months and is over 150% of the monthly benefit, the recovery period shall be limited to three months.

⇒ When an overpayment meets the criteria for non-collection, the CCR&R Eligibility Specialist shall calculate the amount of the overpayment, case note, and e-mail the overpayment amount to Chris Hettinger at the Early Childhood Services Bureau.

Calculating an Overpayment

An adjustment is calculated by re-determining eligibility or attendance with the new information. The difference in the amount of child care scholarship issued under the error and the amount of child care scholarship which should have been issued, becomes the amount of the adjustment.

If the family loses eligibility, the period used to calculate the overpayment begins when the family first loses eligibility. All subsequent payments are subject to overpayment. Eligibility specialists cannot assume a participant might have reported periods of basic eligibility requirements (e.g. employment or unemployment) following the initial loss of eligibility.

EXAMPLE: A parent receives a Best Beginnings Child Care Scholarship in November while they are meeting the work requirement. The parent loses their job in December and does not report to the CCR&R. The gap in employment lasts more than 10 days. The parent works in January and February, but not in March. In April, they are employed again. None of the employment changes are reported to the CCR&R until re-certification in May. The parent initially lost eligibility in December. The Best Beginnings Child Care Scholarship is subject to overpayment from December through May. The eligibility specialist may not assume the family was eligible for a child care scholarship, had they reported the changes timely.

EXAMPLE: A woman applies for a Best Beginnings Child Care Scholarship, claiming the father is separated and not contributing to the family. Based on her income alone, she qualifies for a scholarship of $300 per month. Two months later, it is determined that the father had been living with the family all along. His income would have made the family ineligible from the start. A $600 overpayment has occurred over two months.

EXAMPLE: A man applies for Best Beginnings Child Care Scholarship and neglects to report receipt of a disability payment. The payment would have reduced his Best Beginnings Child Care Scholarship by $75 per month. The oversight is discovered three months later. He accumulates a $225 overpayment, which he elects

to pay in four installments. He continues to be eligible for Best Beginnings Child Care Scholarship while he makes payments to DPHHS.

Provider Overpayments

A provider overpayment may be created when an invoice is adjusted.

- ❑ Refer to the 'CCUBS Invoice Adjustment.doc' flow chart for help setting up provider overpayments.
- ❑ Subsequent payments are reduced to collect the overpayment.
- ⇒ Make a case note regarding the overpayment.
- ⇒ If the provider will be making a payment, use the electronic form, 'AR-110C Form.doc', to notify Accounts Receivable of the overpayment. Put a 'Y' in the 'Letter' field, to tell Accounts Receivable to send a collection letter.

NOTE: If the repayment is completed entirely through invoice adjustment(s), there is no need to use the electronic form, 'AR-110C Form.doc', to notify Accounts Receivable of the overpayment.

Household Overpayments

A household overpayment may be created when an invoice is adjusted.

- ❑ Refer to the 'CCUBS Invoice Adjustment.doc' flow chart for help setting up household overpayments.
- ⇒ Make a case note regarding the overpayment.
- ⇒ Use the electronic form, ' AR-110C Form.doc', to notify Accounts Receivable of these overpayments. Put an 'X' in the 'Letter' field, to tell Accounts Receivable to send a collection letter.
- ⇒ Credit repayments to the parent's account on CCUBS and forward the repayment to Shanon McMaster at DPHHS Accounts Receivable.

NOTE: The parent writes the payment out to the Montana Department of Public Health and Human Services (MT DPHHS).

Inactive

Inactive overpayments, where the provider or the household is not active on

Overpayments

CCUBS, should be transferred to Accounts Receivable.

⇒ Make an effort to locate the current address of the inactive household or inactive provider.

⇒ Use the electronic form, ' AR-110C Form.doc ', to notify Accounts Receivable of these overpayments. Put an 'X' in the 'Letter' field, to tell Accounts Receivable to send a collection letter.

Negotiating a Repayment Amount

Generally, a repayment period should not exceed one (1) year. Suggested minimum repayment amount is 10% of the total repayment. If the total repayment is less than $100, a minimum $10 payment applies. If there is no response from attempts to negotiate a repayment agreement, enter the amount suggested. Additionally,

- notify ECSB of repayment agreements exceeding one year, and
- notify ECSB of overpayments totaling $1,000, or more.

Overpayment Process

1. Calculate the overpayment.
2. Negotiate a repayment agreement with the provider or parent:

⇒ Send a cover letter to the provider or parent explaining the following points:

- Indicate the amount of the repayment.
- Explain why the overpayment occurred.
- Suggest a repayment schedule (which will be used if the individual does not reply)
- Encourage the provider or parent to complete and return the enclosed Repayment Agreement form (DPHHS-HCS/CC-121) to the CCR&R.
- Repayment checks are made out to DPHHS.
- Repayments are delivered to the CCR&R (who records the payment on CCUBS and forwards the payment on to DPHHS Fiscal).

3. Adjust the invoice(s) on CCUBS
4. Make a case note of the circumstances and the calculation of the overpayment.
5. Keep a file of all overpayment transactions.

6. If a provider or parent gives the CCR&R a repayment check made out to DPHHS, forward the payment, with a printed copy, labeled as a "COPY," of the 'AR-110C Form.doc' to the following address:

DPHHS Fiscal – A/R
PO.Box 4210
Helena, MT 50604-4210

Field	Accounts Receivable System Transaction Input Form (AR-110) Instructions
Date	This field should contain the date the form is being completed. (YYYYMMDD) e.g. 20030725
New Account	**X = Yes**, unless you know this specific overpayment account already exists on A/R.
Account	This field contains the clients SSN# followed by the claim number (01, 02, etc.) after that is the county number in which the child care scholarship was received (07 for Cascade County, 25 for Lewis & Clark County, etc.) and the end is the Recovery Type and Category Code (BK). **1st 9 digits** - Tax ID number (SSN or Tax ID#) **Next 2 Digits – 01** - Claim number (A/R will correct this if needed.) **Next 2 Digits** - County number **Second to the Last Digit – B** (A/R code) & **Last Digit – K** – (child care recovery)
Name, Last & First	This field should contain the client's name with no punctuation.

Field	Accounts Receivable System Transaction Input Form (AR-110) Instructions
Address **City, State Zip**	This field should contain the client's street address plus apartment number, etc. with no punctuation. Include Zip+4, if known.
CO	This field contains the county number contained in the account number.
Monthly Payment Due	This field should contain the amount the client is expected to pay each month.
Frequency	**M** = Monthly
CCUBS Case #	Used to enter payments made to A/R on the CCUBS system.
Agreement Start Date:	This field should contain the date the client is to begin repaying the overpayment. (YYYYMMDD)
Repayment Period **Start Date:** **End Date:**	This field should contain the dates of service that contributed to the overpayment. (YYYYMMDD)
A/R Amount	This field should contain the total amount of the overpayment. The plus sign you see beside this is for data entry purposes.
CCUBS Provider #	Used to enter payments made to A/R on CCUBS system.
CCR&R Eligibility Specialist Telephone	Enter the name and telephone number of the CCR&R Eligibility Specialist working with the provider overpayment.
Notes	Anything relevant to the collection process.

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Table of Eligibility Related Forms**

Supersedes: **Child Care Manual 6-10 (1/1/02)**

References: **52-2-701 - 704 & 52-2-711 - 713 MCA**
Sections 37.80.101-103, 37.80.201-202, 37.80.205-206, 37.80.301-302, 37.80.305 -306, 37.80.315-316, 37.80.501 ARM 45
CFR Part 98.20 – 47

Ordering Eligibility Related Forms

Child Care Resource and Referral agencies order eligibility related forms and publications on a FORMS REQUISITION form, DPHHS-GS-003B. CCR&Rs use their respective **location code** at the top of the 'GS-003B form:

Location	CCR&R	Location Code
Billings	District VII HRDC	456
Bozeman	Child Care Connections	416
Butte	Butte 4C's	447
Glasgow	Hi-Line Home Programs, Inc.	453
Glendive	DEAP Child Care Resource and Referral	411
Havre	District IV HRDC – Child Care Link	421
Great Falls	Family Connections	407
Helena	Child Care Partnerships	425
Kalispell	The Nurturing Center	415
Miles City	DEAP Child Care Resource and Referral	409
Missoula	Child Care Resources	432
Lewistown	District VI HRDC – Child Care Link	414

Debbie Smithson
DPHHS Internal Support
111 Sanders, Room 8
PO Box 4210
Helena, MT 59604
dsmithson@state.mt.us
444-3912

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Table of Eligibility Related Forms**

NOTE: If ordering QAD forms at the same time, the Child Care Licensing Program requests that QAD form orders be sent to Melody Olson, who will forward the order to Debbie Smithson:

Melody Olson
DPHHS Child Care Licensing Program
2401 Colonial Dr.
PO Box 202953
Helena, MT 59620-2953
molson@state.mt.us
Office: 444-2012
FAX: 444-1742

FORM #	DESCRIPTION	USE
AR-110 *(electronic Word form)*	Accounts Receivable System Transaction Input Form is e-mailed to DPHHS Accounts Receivable when setting up overpayments. This form is used to inform A/R of all child care overpayments, unless it is a one-time adjustment on a provider's invoice. *This form is available from Randy Haight, ECSB.*	Overpayments
Child Care Need Form	The Child Care Need Form is used to gather family demographic and child care preference information for the child care referral process. *This form is available from the Montana CCR&R Network Office, I coordination with NACCRRAware support.*	Referrals for Families
CPS Child Care Referral *(electronic Word form)*	CFSD Child Care Referral is used by social workers to make a CPS child care referral to the CCR&R for the CCUBS system. *This form is available from Randy Haight, ECSB.*	*CPS child care referrals.*

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Table of Eligibility Related Forms

FORM #	DESCRIPTION	USE
DPHHS-CS/CC-009	Child Care Scholarships brochure explains the Best Beginnings Child Care Scholarship program to potential applicants.	*As needed*
DPHHS-HCS/CC-010	Best Beginnings Child Care Scholarship Application form is used for Best Beginnings Child Care Scholarship program applicants.	Presumptive Eligibility Eligibility Annual Re-certification
DPHHS-HCS/CC-011	Release of Information/Request for Verification form is used to verify participant employment schedules and wages.	Eligibility Annual Re-certification
DPHHS-HCS/CC-012	Request Grace Period for Child Care Assistance form is used for families who report within 10 days when they fall below the minimum work requirement.	*As requested*
DPHHS-HCS/CC-015	Child Care Service Plan Information form gathers information from the parent and the provider to establish a child care certification plan.	Presumptive Eligibility Eligibility Annual Re-certification
DPHHS-HCS/CC-016	Change Report Form provides families with a tool to keep the CCR&R informed of relevant changes. If families notify the CCR&R of changes via telephone, send this form to obtain written verification of the change. (While this change report form is preferred, policy simply requires written verification for changes.)	*Inform families at the following times:* Eligibility Annual Re-certification

Montana Department of
Public Health & Human Services

Section:
Serving the Family

CHILD CARE

Subject:
Table of Eligibility Related Forms

FORM #	DESCRIPTION	USE
DPHHS-HCS/CC-017	Family's Rights & Responsibilities informs families of program requirements and options. The Rights & Responsibilities information is incorporated with the child care scholarship application.	TANF Families
DPHHS-HCS/CC-018	Child Care Provider's Rights & Responsibilities informs providers of program requirements. This form is not required in individual case files.	Annually LUP Info Packet
DPHHS-HCS/CC-019	Child Care Program – Notice of Requirement to Cooperate & Right to Claim Good Cause for Refusal to Cooperate in Child Support Enforcement is used when determining eligibility.	*Inform families at the following times:* Eligibility Annual Re-certification
DPHHS-HCS/CC-077	Legally Unregistered Provider (LUP) Program Release of Information Criminal/Protective Service Background Checks allows DPHHS to request background checks on applicants and household members.	LUP/LUI Applicants
DPHHS-HCS/CC-078	LUP Child/Adult Protective Services Record Check is used for LUP/LUI applicants and household members.	LUP/LUI Applicants
DPHHS-HCS/CC-079	LUP Criminal History Record Check is used for LUP/LUI applicants and household members.	LUP/LUI Applicants
DPHHS-HCS/CC-087	LUP/In-Home Care Application for State Payment Only is the LUP/Parent application.	LUP/LUI Applicants
DPHHS-HCS/CC-122	Best Beginnings Child Care Scholarship Program informational booklet contains policies and guidelines for child care providers.	All Providers

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Table of Eligibility Related Forms

FORM #	DESCRIPTION	USE
DPHHS-HCS/CC-124	What is an LUP? is an informational document used in the LUP packets.	LUP/LUI Applicants
DPHHS-HCS/CC-127	LUP/LUI Statement of Health is required of the applicant.	LUP/LUI Applicants
DPHHS-HCS-051	Child Care assistance will not start until you contact your local Child care Resource and Referral Agency form is used by OPA Eligibility Case Managers to refer FAIM families to CCR&Rs. This form is not a requirement for a child care scholarship and is not required in the family's case file. However, a family is not eligible for child care until they contact their CCR&R. Since OPA uses this form, CCR&Rs do not need to order this form.	*OPA uses this form to refer families to CCR&R*
DPHHS-HCS-101	Authorization to Release Information is used to assist with general eligibility determination for Child Care and TANF programs. An applicant's authorization is not a condition of eligibility. If authorization is not granted, the applicant must provide all the verification required to determine eligibility.	Presumptive Eligibility Eligibility Annual Re-certification
DPHHS-HCS-102	One Time Only Authorization to Release Information is used for a specific, short-term need to share information, which is not identified on the '101' form. For example, a physician's statement regarding an individual's disability and their inability to care for their children.	*As needed*

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Table of Eligibility Related Forms**

FORM #	DESCRIPTION	USE
DPHHS-HCS-103	Inter-Agency Authorization to Release Information is used for ongoing information sharing for case management. CCR&Rs are not likely to need this form often.	*As needed*
DPHHS-OM-300B	Non-DPHHS Employee/System Access File Request is used for CCR&R Eligibility Specialists who require access to CCUBS & CAPS. The Eligibility Specialist's e-mail address will be added to the State Outlook address book and included on the 'HHS CCR&R Worker' list.	*Used to gain or terminate State computer system access for CCR&R employee*
QAD - ###	Change of Name/Address/Ages for [Provider] Registration Certificate . . . form is not yet available through DPHHS supply. Providers use this QAD form to inform their licensor.	Informs providers that they need to keep their address current in order to prevent payment problems

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Resources for CCR&R Eligibility Specialists

Accounts Receivable 8
Address Change: CCR&R 8
Address Change: Licensed/Registered Provider 8
Address Change: LUP 9
CCR&R Contract Monitors 9
Computer Access: Deleting Access 9
Computer Access: Requesting or Changing Access 9
Computer Help: NACCRRAware 10
Computer Help: Passwords, Connecting to State Systems, Hardware, & Software 10
Computer Help: Within CCUBS, CAPS & TEAMS 11
Computer: Security 11
Computer: State Wiring & New Hookups 13
Conference Calls 13
Eligibility Policy 14
E-mail List: HHS CCR&R Workers 14
Employee Name Change 14
Equipment: Disposal of Equipment Purchased under ECSB Contract 14
Equipment: State Surplus Property 15
Forms 15
IRS W-9 Updates & IRS 1099 Reports 15
Legally Unregistered Providers 16
Payment: Amounts Withheld from Warrants 17
Payment: Direct Deposit 17
Payment: Stale Dated Warrants 19
Payment: Where is the Payment? 19
Provider Lists 20
Provider Star Rating 20
Question & Answer Procedure 21
Special Needs Subsidy Rate 21
Travel ID Card 22
Travel Policies & Lodging Rates 22
Waiting List Policy Exceptions 22

Child Care Unit - Early Childhood Services Bureau				
Linda Fillinger	Bureau Chief	lfillinger@state.mt.us	444-1828	DPHHS – ECSB Cogswell A-116 1400 Broadway PO Box 202952 Helena, MT 59620-2952 Fax: 444-2547
Patti Russ	Child Care Unit Supervisor	pruss@state.mt.us	444-0309	
Randy Haight	Child Care Program Officer	rhaight@state.mt.us	444-1839	
Chris Hettinger	Fiscal Officer	chettinger@state.mt.us	444-2803	
Anne Carpenter	Best Beginnings Program Officer	anncarpenter@state.mt.us	444-3657	
Lois Ennis	Program Specialist	lenis@state.mt.us	444-5925	
Dee Dee [Sandra] Heitz	Program Coordinator	sheitz@state.mt.us	444-9120	
Jane Koehl	HCSD Receptionist	jkoehl@state.mt.us	444-1788	
Linda Kjorstad	Best Beginnings Program Officer	lkjorstad@state.mt.us	657-2067 670-8265	MSU-Billings Montana Center #132 1500 North University Dr Billings, MT 59101-0298 Fax: 657-2055

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Resources for CCR&R Eligibility Specialists

ECSB Contractors				
Janet Bush	MCCR&R Network Executive Director	jbush@montanachildcare.com	541-1028	MCCR&R Network 127 East Main #217 Missoula, MT 59802 FAX: 541-9028
Jennifer Robichaud	MCCR&R Network NACCRRA ware	jrobichaud@montanachildcare.com	541-9029	
Karen Martin	Statewide Inclusion Coordinator	karen.martin@umontana.edu	1-800-235-4122 243-6300	Child Care plus+ 634 Eddy Ave. Missoula, MT 59812 Fax: 243-4730 www.ccplus.org

Child Care Licensing Program				
Becky Fleming-Siebenaler	Child Care Licensing Supervisor	bfleming@state.mt.us	444-7770	BOI Building, 2nd Floor 2401 Colonial Dr. PO Box 202953 Helena, MT 59620-2953 FAX: 444-1742
Melody Olson	Child Care Licensing	molson@state.mt.us	444-2012	
Pat Carver	Child Care Licensing	pcarver@state.mt.us	444-9460	

Montana Department of
Public Health & Human Services

CHILD CARE

Section:
Serving the Family

Subject:
Resources for CCR&R Eligibility Specialists

Computer & Equipment Related Contacts

Northrop Grumman Help Desk *(CCUBS, CAPS)*	HHSNGCHelpDesk@state.mt.us	(800) 285-2361 444-4125	BOI Building, 1st Floor 2401 Colonial Drive Helena, MT 59601 Fax: 449-3981
DPHHS Technology Services Help Desk *(Passwords, connectivity)*	dphhstech@state.mt.us	444-9500	www.dphhs.state.mt.us/tsc/
Information Technology Services Policies		http://discoveringmontana.com/itsd/policy/enterprise.asp	

Dave Johnson	DPHHS Technology Services	dajohnson@state.mt.us	444-1670	PO Box 4210 Helena, MT 59604 Fax: 444-7358
Rod Schultz	DPHHS Equipment Surplus Manager	rschultz@state.mt.us	444-0518	Cogswell A-112 1400 Broadway PO Box 4210 Helena, MT 59604 Fax: 444-2547

State Payment Contacts				
Monique England	DPHHS Fiscal - AWACS, W-9s, Direct Deposit	moengland@state.mt.us	444-5932	DPHHS Fiscal 111 North Sanders Rooms 105 and 108 PO Box 4210 Helena, MT 59604 Fax: 444-9763
Shanon McMaster	DPHHS Fiscal – Accounts Receivable	shmcmaster@state.mt.us	444-4061	
Tax Offset Collections		Customer Service: 444-6900		Department of Revenue PO Box 5805 Helena, MT 59604-5805 Fax: 444-1505

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Resources for CCR&R Eligibility Specialists**

Other Resources

Debbie Smithson	DPHHS Internal Support	dsmithson@state.mt.us	444-3912	DPHHS Internal Support 111 Sanders, Room 8 PO Box 4210 Helena, MT 59604

Child Abuse and Neglect	**1-866-820-KIDS (5437)** If the child is in immediate danger, call 911 or the local law enforcement agency.
Child Support Enforcement Central Office	(406) 444-9855 1-800-346-KIDS (In Montana) (406) 444-1370 FAX http://www.dphhs.state.mt.us/about_us/divisions/child_support_enforcement/child_support_enforcement.htm Payment Information: https://app.discoveringmontana.com/csed/index.html
DPHHS Child Care Resource Directory on the Virtual Human Services Pavilion	http://vhsp.dphhs.state.mt.us/dph_r2.htm
DPHHS Fair Hearing Office	DPHHS Fair Hearing Officer P.O. Box 202953 Helena, MT 59620-2953 (406) 444-2470 Office (406) 444-3980 FAX
Internal Revenue Service Forms & Publications	http://www.irs.gov/formspubs/index.html

Montana Department of
Public Health & Human Services

CHILD CARE

Section:

Serving the Family

Subject:

Resources for CCR&R Eligibility Specialists

Montana Community Development Corporation	http://mtcdc.org (406) 728-9234
Montana Early Childhood Project	http://www.montana.edu/ecp/
Telephone Directories on the Web (USA)	http://www.infobel.com/teldir/teldir.asp?page=/eng/namc/us
Travel Policies for Contractors & Employees	http://www.discoveringmontana.com/doa/travel/index.htm
US Postal Service Zip Code Lookup	http://www.usps.com/zip4/

Accounts Receivable	If a parent or provider has an overpayment and a repayment is needed, an account must be established at DPHHS Accounts Receivable. Repayments are credited to the account on CCUBS and forwarded on to DPHHS accounts receivable. *Note: If a provider overpayment can be adjusted on a subsequent invoice and there is no need to make a payment directly to DPHHS, there is no need to set up an account with DPHHS Accounts Receivable.* **E-mail AR-110 form and mail payments to Shanon McMaster.**
Address Change: CCR&R	CCR&R address and contact information is published in several locations throughout the DPHHS Human and Community Services Division. The new address will be forwarded to the following entities/locations: ❑ CCDF State Plan ❑ CCR&R Address List w/Map – ECSB ❑ CCUBS (each CCR&R staff member's address) ❑ Child and Adult Care Food Program - ECSB ❑ Child Care Interested Person's list, for rule changes etc. - ECSB ❑ Child Care Licensing Bureau Central Office - QAD ❑ Child Care Scholarships Brochure – ECSB ❑ DPHHS Web Pages ❑ Mailing Labels - ECSB ❑ Public Assistance Bureau referral form- HCSD ❑ Virtual Human Services Pavilion (via CCUBS) **E-mail Dee Dee Heitz**
Address Change: Licensed/Registered Provider	Child care providers must change their address information through their DPHHS QAD Licensor. This may involve a change in physical address, mailing address and/or AWACS (payment) address. If the provider's AWACS information is incorrect, there will be a significant delay in receiving payments. The warrant will eventually be returned to sender: DPHHS Fiscal in Helena. The payment may be mailed again, after the correct address is identified. The QAD Child Care Licensing Program provides a form for the purpose of reporting provider address updates. CCR&Rs may find it useful to have this form available in their agency.

	Contact Melody Olson
Address Change: LUP	Child care providers must change their address information through their CCR&R. This may involve a change in physical address, mailing address and/or AWACS (payment) address. If the AWACS information is incorrect, providers will experience a significant delay in receiving payments. The warrant will eventually be returned to sender, DPHHS Fiscal in Helena. Fiscal may mail the payment, after the correct address is identified. ❑ Verify the AWACS address attachment. ❑ Verify the AWACS address.
CCR&R Contract Monitors	**Contact Anne Carpenter or Linda Kjorstad**
Computer Access: Deleting Access	Removing System Access: 1. Use NON-DPHHS EMPLOYEE SYSTEM/ACCESS REQUEST DPHHS-OM-300B **(2/03)**. The CCR&R supervisor signs this form. 2. Request that the State delete the user's logon ID and remove access to each State system, e.g. CCUBS, Outlook, and/or CAPS 3. Send the access request form to Randy Haight, Early Childhood Services Bureau. **NOTE: Remove the employee's access immediately upon termination.** DPHHS policy does not allow an employee's access to remain open while a replacement is hired. The terminating employee's C# must be suspended immediately. **Fax system access request form to Randy Haight.**
Computer Access: Requesting or Changing Access	System Access for a New Eligibility Specialist: 1. Use the NON-DPHHS EMPLOYEE SYSTEM/ACCESS REQUEST form, DPHHS-OM-300B **(2/03)**. CCR&Rs may want to initiate the access request during the hiring process. The CCR&R supervisor signs this form. While

	some State system users fill out the NETWORK ACCESS REQUEST form, DPHHS-OTD-004, this is not necessary for any CCR&R locations. 2. Use the employee's work address, telephone number, and e-mail address. 3. Request to create a logon ID, unless they already have a logon ID or 'c#'. 4. In the second box, request system access according to the employee's duties: ❑ CCUBS ❑ TEAMS TAFS screen ❑ CAPS ❑ Outlook (include an e-mail address for listing the State e-mail address book or request a State e-mail box) 5. Justification: e.g. New CCR&R Eligibility Specialist 6. E-mail address: Include e-mail address from CCR&R Internet service provider or request a State Outlook e-mail box. 7. Employee signs under the confidentiality statement. 8. CCR&R supervisor signs on "Signature of Supervisor" line. **Fax system access request form to Randy Haight.** NOTE: CDS access is managed through local HRDCs. Submit a separate access form to the HRDC system administrator for CDS access.
Computer Help: NACCRRAware	The Montana Child Care Resource and Referral Network manages the NACCRRAware referral system. All NACCRRAware questions are directed to the MCCR&R Network office. **Contact Jennifer Robichaud.**
Computer Help: Passwords, Connecting to State Systems, Hardware, & Software	The DPHHS Technology Services Center (TSC) is open from 7:00 a.m. to 5:00 p.m., Monday through Friday (excluding holidays). We provide quality computer support to the Department by serving of employees, other state agencies, contractors, vendors and internet users in a timely manner. Contact the DPHHS TSC with questions about installing or connecting to State systems: ❑ Passwords ❑ Logon issues

	❑ CCUBS installation and connectivity issues ❑ CCUBS Provider Payment Interface (CPPI) connectivity issues ❑ CAPS & TEAMS Mainframe/Extra installation and connectivity issues ❑ NACCRRAware connectivity issues ❑ Virtual Human Services Pavilion connectivity issues ❑ State network connectivity issues (SummitNet & Citrix Metaframe) ❑ State hardware and software applications (Word, Excel, Outlook, etc.) The Call Process When you call the Technology Services Center (TSC), the first available technician will take your call and ask for your login id. If this is the first time you have contacted TSC, we will ask for additional information in order to create your user profile in our tracking software. If you are calling on a previous problem, please have your ticket number available when you contact us. The type of questions we ask are listed below: 1) Your Login ID 2) Your Name 3) Your Phone # 4) Your CCR&R Name and Location 5) Your Pams # and Serial # (State hardware problems) 7) Version of Windows (98, XT, . . .) 8) Name of State server attached to (HHS_XXX_XXX) **Contact the DPHHS Technology Services Center.**
Computer Help: Within CCUBS, CAPS & TEAMS	The Northrop Grumman Help Desk is available from 7:30 a.m. to 5:30 p.m., Monday through Friday, except holidays. Connie Fairbairn, Peggy Huntington, Jenny Schubring and Mary Goyins assist users and troubleshoot problems. Please have your c# available when you call. **Contact the Northrop Grumman Help Desk.**
Computer:	*By Lynne Pizzini, Information Security Manager* *Information Services Division, Department of Administration*

Security	The following are some do's and mostly don'ts in relation to using electronic mail. These tips may help in alleviating unwanted email and computer viruses. ❑ Do not open email messages or attachments from unknown sources. ❑ Do not open email with a subject that looks suspicious such as "Joke" or "ILOVEYOU". ❑ Turn the preview pane off in the inbox for Outlook. This can alleviate some viruses from spreading via Outlook. ❑ Do not pass along chain letters, virus hoax messages, or other virus reports. Messages such as this on State e-mail should be forwarded to the "Virus Reports" [Outlook] or VirusReports@state.mt.us in email. They will then be determined whether they are legitimate and whether a full-scale warning should be distributed. ❑ Do not send a message to everyone in the address list. This can create too much data network traffic on the computer system and cause it to slow down, or fail. ❑ Do not respond or reply to any spam (unsolicited commercial email). Please forward any messages on State e-mail such as this to the "Virus Reports" [Outlook] or VirusReports@state.mt.us recipient and an attempt will be made to remove you from any mailing lists. You can also filter out messages such as this using Outlook's junk mail feature. ❑ Do not access personal email accounts from the State's computer network. The messages contained in these accounts are generally not scanned for viruses and could cause a virus to come into the State's computer system. ❑ Do report any suspicious e-mail on the State system to DPHHS Technology Services Center [Outlook] or dphhstech@state.mt.us or call 444-9500. **Policies for use of State and DPHHS computer systems are available at the following web site:** **http://discoveringmontana.com/itsd/policy/enterprise.asp**

Computer: State Wiring & New Hookups	CCR&Rs are responsible for the cost of adding, or moving, State SummitNet wiring. Cost estimates for SummitNet wiring are available through Dave Johnson. OTD requires that agencies send a signed request for wiring changes to Dave Johnson, indicating their willingness to pay for the hook-up charges. Along with the wiring estimate, CCR&Rs may be informed that there is a monthly connection fee. The ECSB pays the monthly connection fees for CCR&R eligibility related work. Please send your request for State SummitNet wiring to Dave Johnson and send a copy to Chris Hettinger, for billing purposes. **Send your request for State network wiring to Dave Johnson and send a copy to Chris Hettinger, for billing purposes.**
Conference Calls	The Early Childhood Services Bureau hosts a monthly conference call for CCR&R management and staff. Generally, conference calls are scheduled on the second Wednesday of each month. Before the call, participants will receive a telephone number to call, a password, and an agenda via e-mail. Callers may dial in no sooner than 9:28 a.m. Participants are invited to e-mail suggested agenda items the week prior to the conference call. Conference calls begin at 9:28 a.m., and may last up to two hours. The 2003 conference call schedule follows: ❑ July 9 ❑ August 13 ❑ September 17 (3rd Wednesday) ❑ October 8 ❑ November 12 ❑ December 10 **E-mail Randy Haight.**

Eligibility Policy	CCR&R Eligibility Specialists consult their child care manual and work with their supervisor and director. Policy questions Eligibility policy questions and suggestions for the child care manual. **E-mail Randy Haight.**
E-mail List: HHS CCR&R Workers	CCR&R eligibility staff members are added to the "HHS CCR&R Workers" e-mail distribution list. If you find an eligibility related coworker is not on the list, e-mail Randy. **E-mail Randy Haight.**
Employee Name Change	CCR&R employee records will be updated: ❑ CCUBS ❑ ECSB records ❑ Outlook address book ❑ System access records **E-mail the employee's new name to Dee Dee Heitz.**
Equipment: Disposal of Equipment Purchased under ECSB Contract	Code of Federal Regulations - Part 3015 Uniform Federal Assistance Regulations Subpart R -- Property 3015.168 Disposal of Equipment. When original or replacement equipment is no longer to be used in projects or programs currently or previously sponsored by the Federal government, disposal of the equipment shall be made as follows: (a) Equipment with a unit acquisition cost of less than **$5,000** may be sold, retained or otherwise disposed of with no further obligation to the Federal Government. (b) All other equipment may be retained or sold. The Federal Government shall have a right to an amount calculated by multiplying the current market value or proceeds from sale by the Federal share of the equipment (see 3015.172). If part of the federal share of the equipment came from an award under which the exemptions in 3015.164) were applicable, the amount due shall be

	reduced pro rata. In any case, if the equipment is sold, $100 or 10 percent of the total sales proceeds, whichever is greater, may be deducted and retained from the amount otherwise due for selling and handling expenses. If the recipient's project or program for which or under which the equipment was acquired is still receiving grant support from the same Federal Program and if the awarding agency approves, the net amount due may be used for allowable costs of that project or program. Otherwise, the net amount must be returned to the awarding agency by check or money order. Note: Data must be cleaned from computer equipment used for State or CCR&R purposes before disposal. DPHHS policy suggests that formatting the hard disk(s) is an effective method to ensure information is removed from the system. **Contact Chris Hettinger.**
Equipment: State Surplus Property	State surplus property, which is identified by a metallic inventory tag, must be returned to Helena, Cogswell A-112, next to the ECSB: Note: Data must be cleaned from computer equipment used for State or CCR&R purposes. DPHHS surplus property procedures include formatting the hard disk(s) as an effective method to ensure information is removed from the system. **Contact Rod Schultz.**
Forms	Please refer to section 6-10 for a list of eligibility related forms and ordering information. If ECSB forms are out-of-stock **Contact Debbie Smithson to order DPHHS forms.** **Contact Dee Dee Heitz for ECSB forms.** **Contact Melody Olson when ordering QAD Licensing forms.** **The IRS web site has an electronic version of the W-9 form.**
IRS W-9 Updates & IRS 1099 Reports	Individuals and businesses receiving child care payments must submit an IRS W-9 form to the DPHHS Fiscal Bureau for Agency Wide Accounting Client System (AWACS) payment processing. Generally, IRS W-9 forms are forwarded to DPHHS Fiscal through the Child Care Licensor or the CCR&R. Put the CCUBS

	Provider 'Person' or 'Organization' number on the IRS W-9 form. The IRS W-9 address information must be kept up-to-date in AWACS to avoid payment delays. NOTE: The tax ID number and the name indicated on the W-9 must match IRS records. If an individual, Jane Doe, is doing business under her personal social security number, she must list her personal name, not a pseudo business name, such as "Jumpin' Jane's Day Care," on the W-9 form. Payments are issued in the name listed. If there is no business account or business tax ID number, a bank may not cash the payment. Providers, who receive $600.00 or more in child care subsidies and other payments during the calendar year, should receive a 1099 tax statement from the State of Montana. The deadline for mailing 1099s is January 31st. The State reports 1099 information to the United States Internal Revenue Service. Legally Unregistered In-home (LUI) payments may not generate a 1099. LUI payments are issued directly to the parent who employs the LUI. If a provider's IRS 1099 does not arrive in the mail, or the 1099 appears to report the wrong amount, the child care provider may contact the DPHHS Fiscal Bureau with the following information: ❑ Name ❑ Telephone number ❑ Tax Identification Number (SSN or EIN) ❑ Current address ❑ A new IRS W-9 is required, if updating payment records ❑ Provider's Organization number (OG#) or Person number (PS#) **Contact Monique England.**
Legally Unregistered Providers	LUP background check and LUP approval status. **Contact Dee Dee Heitz.**

Payment: Amounts Withheld from Warrants	If there is a delay in returning a warrant number back to CCUBS, the tax offset system may be withholding part of the payment. Providers and parents may contact the Department of Revenue Bad Debt tax offset system. Call with the following information: ❑ Name ❑ Tax Identification Number (SSN or EIN) ❑ Warrant number& amount ❑ Any relevant details **Contact Paul Paulson's office.**
Payment: Direct Deposit	Direct Deposit service for payments to providers from the CCUBS system is available. Here's how to arrange Direct Deposit: *1.* At the bank, complete a 'Direct Deposit Sign-Up Form.' Include the CCUBS Provider 'Organization' (OG*12345*) number or Provider 'Person' (PS*123456*) number near the top of the Direct Deposit form. *The Provider (PV12345) number will suffice, if the Organization or Person number is not available.* 2. Complete the 'Payee' (1) and 'Government Agency' (2) portions of the form using the DPHHS Fiscal Bureau address listed below. 3. The bank provides the 'Financial Institution' (3) information. Providers may want to have a deposit ticket available for this purpose. 4. Mail the completed Direct Deposit form to: DPHHS Fiscal – AWACS 111 North Sanders PO Box 4210 Helena, MT 59604-4210 ❑ After direct deposit arrangements are made, the first payment will still come in the mail. This allows DPHHS and the bank to test the direct deposit arrangement without jeopardizing delivery of the payment. ❑ Each Direct Deposit requires 2 business days from the date the invoice is processed for electronic fund transfer (EFT) processing. Direct Deposit is expected to be nearly as timely as payment by mail. ❑ The Department will mail a confirmation of each Direct Deposit transaction. This will have a "settlement date." This is the date the EFT

	should be at your bank. ❑ If, after trying Direct Deposit, a provider wants to return to receiving payments by mail, contact the CCR&R to change the payment method and send a written request to DPHHS Fiscal - AWACS.

Payment: Stale Dated Warrants	Should an old, un-cashed warrant be found, please submit the following information. The Department of Administration will send an affidavit to the individual, so a replacement can be requested: ❑ Warrant Number ❑ Warrant Amount ❑ Tax Identification Number (SSN or EIN) ❑ Case Number ❑ Provider Number ❑ Recipient's current address ❑ Recipient's telephone **Contact Chris Hettinger.**
Payment: Where is the Payment?	If CCUBS <u>does not display a warrant number</u> within two business days, the invoice may not be released from the invoice screen -or- the recipient's AWACS record may not be correctly attached to CCUBS: ⇒ Verify that the invoice screen has been released. ⇒ Verify AWACS attachment, noting the 'AWACS ID', 'AWACS Address Code', and the optional 'EFT ID.' ❑ Registered & Licensed providers are attached on the 'Organization Montana' screen. The AWACS attachment date is also indicated on the 'Organization' screen. ❑ LUPs are attached on the 'Person Montana' screen. The AWACS attachment date is also indicated on the 'Person' screen. ❑ If the invoice has been released, and processed, yet there is no warrant number, contact the CCUBS Help Desk. If CCUBS <u>shows a warrant number</u> and the payment is not delivered in a reasonable time, the payment may be delayed in the mail: ⇒ Check the invoice to determine if the payment was directed to the parent or to the provider. ⇒ Verify AWACS attachment, noting the 'AWACS ID', 'AWACS Address Code', and the optional 'EFT ID.' ⇒ Verify the warrant address in AWACS – the address associated with the 'AWACS Address Code' in CCUBS. ⇒ Also, verify addresses in CCUBS, however, the CCUBS address does

	not affect the payment address. **All address changes must be confirmed by submitting a new IRS W-9:** ❑ **Registered/Licensed providers send their W-9 to their Licensor.** ❑ **LUPs send their W-9 to their CCR&R.** If a payment is lost and a provider requests a replacement warrant, the provider must agree in writing to return any duplicate payment to DPHHS Fiscal. DPHHS will verify the status of the missing warrant and send an agreement for the provider to sign, before issuing a replacement payment. If you are not able to resolve the payment issues noted above, include the following information: ❑ Name ❑ Tax Identification Number (SSN or EIN) ❑ AWACS ID Number ❑ CCUBS Case Number ❑ CCUBS Provider Number ❑ CCUBS Provider 'Organization' or Provider 'Person' Number ❑ Warrant Number and Amount ❑ Current mailing address **Contact Chris Hettinger.**
Provider Lists	Requests for lists of child care providers are referred to the DPHHS Quality Assurance Division Child Care Licensing Program. Solicitation from this list is prohibited, so QAD attaches a disclaimer regarding solicitation. **Contact Melody Olson.**
Provider Star Rating	Linda Kjorstad approves tiered reimbursement star ratings for providers on CCUBS. She notifies the provider's CCR&R by e-mail. **Contact Linda Kjorstad.**

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Resources for CCR&R Eligibility Specialists**

Question & Answer Procedure	Question and Answer Procedure: 1. If the eligibility worker has a question, first attempt to look the information up in the manual. 2. If the information cannot be determined by looking in the manual, then the worker should go to their supervisor for information. 3. If the supervisor does not know the answer then a question should be submitted in writing (e-mail is fine) to the ECSB Policy Specialist, Randy Haight. If the question in regard to a quality program, the question should be submitted to the ECSB Best Beginnings Program Officer, Linda Kjorstad. ➢ We are asking that each CCR&R agency designate one person to be responsible for submitting policy questions to central office. Please notify Randy Haight and me by March 16, 2001 of who that person will be. 4. The ECSB will attempt to answer questions submitted in this manner immediately but CCR&R agencies can expect to receive a response within two days. Please include Patti Russ as a CC on your e-mail question. This will insure that there is another person to respond if the Policy Specialist is unavailable. **E-mail Randy Haight.**
Special Needs Subsidy Rate	The Early Childhood Project contracts with Child Care plus+ The Center on Inclusion in Early Childhood to coordinate inclusion services. Families, providers, & CCR&R staff may contact Karen Martin for guidance in serving children with special needs and evaluating the need for a special needs subsidy rate. **Contact Karen Martin.**

Montana Department of Public Health & Human Services	Section: **Serving the Family**
CHILD CARE	Subject: **Resources for CCR&R Eligibility Specialists**

Travel ID Card	DPHHS Human and Community services contractors may request 'non-employee' State business travel ID cards to assist in obtaining State rates for lodging when traveling on business. ECSB generally issues cards to CCR&R staff in June, for the following SFY. **E-mail Jane Koehl, HCSD.**
Travel Policies & Lodging Rates	When making room reservations, CCR&R staff should confirm the business's willingness to offer the State rate to 'non-employee' travel ID holders. (Recently, one facility insisted on seeing a regular State employee ID card, complete with photo, before they would offer State rates.) **The Department of Administration hosts a State employee travel policy web page, which lists lodging facilities offering state rates:** **http://www.discoveringmontana.com/doa/travel/index.htm**
Waiting List Policy Exceptions	After case notes are complete, e-mail ECSB with the following information: ❑ Child's name ❑ County, where family lives ❑ Case & case-event number (CS*12345* CE*99*) ❑ Relevant Documentation (provider grant assessment, etc.) **Child with Special Needs: E-mail request to Lois Ennis & Dee Dee Heitz.** **Request for Policy Exception: E-mail request to Randy Haight.**

Montana Department of Public Health & Human Services	Section: **Best Beginnings – Quality Initiatives**
CHILD CARE	Subject: **Provider Grants**

Supercedes: **Child Care 7-4 (6/1/00)**

References: **USCS (658G, 658E (c) (3) (B))**
MCA 52-2-711

General Information

The Child Care and Development Fund allows states to award grants and contracts for the purposes of planning, developing, improving or expanding child care services. Grants are awarded annually to Providers in the following categories:

- Odd-hour or part-time care
- Inclusion of children with disabilities,
- Rural care,
- Lack of licensed or registered care,
- Other community need,
- Improvements to meet applicable State and/or local Licensing/Registration requirements.
- Before-and-after school child care programs for school aged children.

Who May Apply

1. Established licensed or registered child care providers.

2. Groups or individuals interested in establishing a new licensed/registered child care facility. Child Care providers must be licensed or registered before grant funds are released.

Full-day, full-year, public or private, for-profit or non-profit day care home, group homes or centers may submit applications. School-age child care programs operating only during the school year may also submit applications, but priority among school age care proposals will be given to full- year school-age child care programs.

How To Apply

Each year the Department issues a Request for Proposal (RFP). Interested individuals may request a copy of the RFP directly from DPHHS, or obtain a copy from the local CCR&R agency, Quality Assurance Division Child Care

Licensure Specialist or local CACFP Food Program Sponsor. Applications and proposals are completed and returned to DPHHS by a summer deadline date.

Program Description and Expectations

1. Grants will be given to providers who assure that a minimum of 15% of their license or registration capacity is being served by Best Beginnings Scholarship children at the time of submittance of proposal. In addition, at least 20% of their capacity must be dedicated to serving this population during the grant period.

2. Providers must be licensed or registered before grant funds are released. A copy of the child care license, registration certificate or application for license/registration is required as verification.

3. Providers must demonstrate a need for the proposed services -- by presenting evidence of the need in the community.

4. Child care providers or community groups submitting proposals must demonstrate involvement of parents of children to be enrolled in the program in the planning and evaluation of the project.

5. Providers must demonstrate that the proposed project has been coordinated with community agencies and programs.

6. Funds are to be used to improve the quality of child care services or to expand child care services to serve Montana families and communities with unmet child care needs -- and must meet the physical, social, cognitive (language development), and creative development needs of the children served in age-appropriate ways.

7. Providers must agree to remain in operation for the length of the contract or return all grant funds.

8. Funds received need to be used exclusively for the purposes and approved expenses described in the contract between the provider and the

Department.

9. Funds received under this grant must not be used to pay for construction of a facility, make permanent improvements (except for minor remodeling to meet state licensing), or purchase of vehicles. Funds may not be used as matching funds for federal funds; or to supplant or replace state, local or other funds.

10. TVs, video equipment or videos will not be allowed unless the purpose for their use is clearly defined and justified in relationship to identified crucial needs of children and families to be served by the project.

11. Providers must not discriminate against children based on race, national origin, ethnic background, handicap, sex, or religion.

12. In selecting providers to receive awards, a higher priority will be given to providers who have not previously been funded under this DPHHS Block Grant Provider Grants program.

13. Applications/proposals must include a clearly stated work plan with clear and measurable goals, objectives, and timelines. Proposals should clearly outline the methods proposed by the applicant to accomplish the goals and objectives.

14. Applications must be submitted on the application form attached to this RFP.

Maximum Grant Awards

Maximum amount of grants will be:

- Licensed Child Care Center $15,000 – 1st year, $12,500 – 2nd year, $10,000 – 3rd year,
- Group Child Care Home $10,000 – 1st year, $8,500 – 2nd year, $7,000 – 3rd year, and
- Family Child Care Home $5,000 – 1st year, $4,250 – 2nd year, $3,500 – 3rd year.

Contracts awarded under this RFP are renewable for up to three years based on performance standards.

This money is intended to be used for the actual cost of the improvements or expansion of the child care facility. Costs may include operational items such as additional staff, equipment or materials necessary for starting up or expanding the child care services.

Program Improvement Funds

Equipment and materials to be purchased must be developmentally appropriate -- and their purpose and use must be clearly identified in the proposal.

Special Requirements for School-Age Child Care Programs

School-age care proposals will be accepted from providers whose intent is to expand and improve the availability and quality of school-aged child care programs.

School-age child care proposals need to include a separate schedule of activities targeted to various age groups. Activities that are <u>different</u> from usual school activities must be available.
School-aged child care proposals must clearly identify the number of additional children they will serve with the start-up or expansion grant funds. All of the requested/awarded funds must go to either the start-up or the expansion of the facility that will provide before-or-after school Child Care.

Special Requirements for Improvements to Meet Licensing/ Registration Requirements

Consideration will be given to providers who submit proposals to meet applicable State or local licensing/registration requirements. Proposals that are requesting funds for minor remodeling/renovation costs in order to meet state/local licensing requirements must include documentation from the local Quality Assurance Division child care licensing staff or other appropriate community professional such as a county health worker or Fire Marshall, that such remodeling/renovation work is necessary to meet licensing or registration requirements.

A statement from the QAD Child Care Licensure Specialist or a county health

worker that remodeling/renovation is necessary to meet licensing requirements does not in any way guarantee that a proposal will be funded.

Billing the State for Provider Grant Payment

Providers receiving a grant must bill the Department on a "Monthly Invoice Billing Statement" (MIBS). This form is generated on the CCUBS system and mailed to the provider on a monthly basis for completion. Providers may bill the Department on either a monthly or quarterly basis depending on the nature of their project.

20% Service Level for State Assisted Children

Providers participating in the Child Care Provider Grants program are required to assure that a minimum of 20% of their license or registration capacity will be filled by children who are receiving services under the Best Beginnings Scholarship program.

In order to receive payment on a provider grant contract, this level of service *must be met on a monthly basis* and reported to the ECSB. This is done on the Best Beginnings Provider Grant Statement. Exceptions may be made to this policy if the provider submits in writing a reasonable explanation for not meeting the 20% level of service. (See next section)

20% of the license capacity is determined based on the facility's service hours for any given month. The service hours are determined by multiplying the number of operating days in the month x 6 hours per day x the license capacity.

Child Care Day = 6 hours of care per day.
License or registration capacity = the maximum number of children a facility is authorized to care for by the State of Montana's Child Care Licensing program, excluding overlap.

EXAMPLE: A child care facility is registered for 12 children and there are 21 working days in a month.

12 children x 6 hours per day = 72 service hours per day

72 service hours x 21 working days = 1512 service hours per month.
1512 hours x 20% = 302 hours of service needed for state assisted children in order to qualify for grant payments.

Requesting Payment if 20% of the Service Hours Are Not Met

There may be times when a provider-grant contractor cannot fulfill the 20% service to the Best Beginnings Scholarship children requirement. Payment on a contract will not be delayed if the provider offers a reasonable explanation and written documentation for the situation. Common reasons for not meeting the 20% level include but are not limited to the following:

1. Slots are filled by Best Beginnings Scholarship children but service is not provided because of a temporary absence. (Illness, family vacations, etc.)

2. The monthly service hours at a facility are different from the number of days calculated by the ECSB and the provider has written proof of the actual monthly service hours.

3. The facility has openings and is in the process of recruiting. The Best Beginnings Scholarship "slots" must be reserved for qualifying children and filled as quickly as possible. This is common in the case of a new business.

4. The facility must meet licensing requirements before children may be enrolled. The Best Beginnings Scholarship "slots" must be reserved for qualifying children and filled as quickly as possible once the licensing issues have been resolved. Resolution of licensing issues is often a component of a grant.

Payment on a contract would be withheld or delayed if a facility was full and did not meet the 20% required service to Best Beginnings Scholarship children. These providers are not eligible to receive payment until this situation changes to meet the requirements of the grant funding.

Reporting Participation

The CCUBS computer system will determine the monthly service hours, and the required hours needed to meet the 20% requirement and include those figures on the Best Beginnings Provider Grant statement Contractors must enter the number of days their facility was providing service on the appropriate line of the Best Beginnings Provider Grant statement.

If the hours of care are fewer than the required 20% then the provider must attach an explanation.

Recruitment from the Non-TANF Waiting List

Provider grantees are under contract to provide at least 20 percent of their child care services to children participating in the Best Beginnings Child Care Scholarship program. When a waiting list is in effect, grantees may recruit families from the waiting list to meet their grant requirements.

With a written request to the CCR&R, a provider grantee

- who falls below the 20 percent service requirement needs to recruit eligible scholarship families from the waiting list, or;
- who falls between 20 and 40 percent may be allowed to recruit eligible scholarship families on a case-by-case basis, based on average service and future estimates.
- A provider grantee that exceeds 40 percent service to scholarship families may not recruit additional scholarship families.

The State hour requirement for scholarship families is available, by month, on the CCUBS 'Contract' screen, 'Invoice' tab of the provider grantee. This data will be available for evaluation if the grantee's invoice submissions are current with ECSB. A spreadsheet, 'Provider Grant State-Hour Estimates.xls', is used to estimate the need for recruitment.

Request waiting list policy exceptions by submitting a copy of the 'Provider Grant State-Hour Estimates.xls' to Randy Haight.

Montana Department of Public Health & Human Services	Section: **Best Beginnings – Quality Initiatives**
CHILD CARE	Subject: **Provider Grants**

Reporting Expenses for Reimbursement

Contractors must report their monthly expenses on the Best Beginnings Provider Grant statement in order to receive reimbursement for their grant project. Proof of expenditures must be included. (i.e. Receipts, copies of payroll records, invoices, etc.)

Requesting an Advance

Contractors may request a 30-day advance on a contract payment using the Best Beginnings Provider Grant statement. Advances must be reconciled at the end of the 30-day period. Contractors reconcile advances by submitting proof of expenditure. (i.e. Receipts, copies of payroll records, invoices, etc.)

Contractors failing to reconcile the advance within the 30-day period may not receive further payments on their contract until the advance is reconciled.

Quarterly Reporting

Contractors must complete and submit to the Early Childhood Services Bureau a quarterly report that provides information on the progress of the Provider Grant project. Quarterly reports are due on January 15, April 15, August 15, and October 15.

DPHHS Policy Manual: Supplemental Care
Introduction to Registration

Introduction

The 1981 Montana State Legislature passed House Bill 646 which empowered the Department of Public Health & Human Services to prescribe the conditions and publish minimum requirements upon which day care licenses and registration certificates are issued. In developing requirements, the department seeks the advice and assistance of the Superintendent of Public Instruction, Fire Prevention and Investigation Bureau of the Law Enforcement Services Division, representatives of day care facilities, specialists in child care and representatives of parent groups who use the services of day care facilities. The requirements may pertain to:

- character, suitability, and qualifications of an applicant and other persons directly responsible for the care of children;
- the number of individuals or staff required for adequate supervision and care of children in day care facilities;
- child care programs and practices necessary to ensure the health, safety, safety in transportation, development, and well being of children;
- adequate and appropriate admission policies;
- adequacy of physical facilities and equipment;
- general financial ability and competence of an applicant to provide necessary care for children and maintain prescribed requirements; and
- the ages and numbers of children that may be cared for in a day care facility.

The overall purpose of the legislation was to assure that children requiring supplemental parental care be provided food, shelter, security and safety, guidance and direction, nurture and comfort, and learning experiences commensurate to their ages and capabilities so as to safeguard growth and development, thereby facilitating their proper physical and emotional maturation. The purpose of registration and licensing of day care facilities is to provide a reasonable degree of safety to all occupants in the facility.

DPHHS Policy Manual: Supplemental Care
Introduction to Registration

Failure to Register

A person, group of persons, or corporation who establishes or maintains a day care facility or assists in conducting or maintaining a day care facility without first obtaining a license or registration certificate from the department is guilty of a misdemeanor and upon conviction, is punishable by a fine not to exceed $500.

If the department finds that as a result of its investigation, the day care facility is operating without a license or registration, it may report the results of the investigation to the Attorney General and/or the City or County Attorney of the city/county where the facility is being operated. The department shall request the appropriate attorney to initiate an action in district court, justice court, municipal or city court of the appropriate jurisdiction. An injunction against the facility can be requested until a license/registration certificate is issued or denied and upheld.

Reference

Sections 52-2-702(1) and 731 MCA
See 52-2-741 MCA

Definitions:

Caregiver means a licensee, registrant, employee, aide or volunteer who is responsible for the direct care and supervision of children in a day care facility.

Day care or child care means care for children provided by an adult, other than a parent of the children or other person living with the children as a parent, on a regular basis for daily periods of less than 24 hours, whether that care is for daytime or nighttime hours. In addition to the previous definitional language found at 52-2-703, MCA, the term also means care to a child up to the age of 13 years except as indicated otherwise in these rules. The term does not include care by a relative.

Day care center means an out-of-home place in which day care is provided to 13 or more children on a regular basis.

Day care facility means a person, association or place, incorporated or unincorporated, that provides day care on a regular basis or a place licensed or registered to provide day care on an irregular basis for children suffering from illness. It includes a family day care home, a day care center, a group day care home, or a facility providing care in a child's home for the purpose of meeting registration requirements for the receipt of payments as provided in 52-2-713, MCA. The term does not include:

(a) a person who limits care to children who are related to the person by blood or marriage or under the person's legal guardianship, unless registration or licensure as a day care facility is required to receive payments as provided in 52-2-713, MCA; or

(b) any group facility established chiefly for educational purposes that limits its services to children who are 3 years of age or older. In addition to the previous definitional language found at 52-2-703, MCA, the term also does not include a person caring for the children of a single family; or a person, not receiving any type of state payment for day care, who is caring for children in the children's own home. In addition to the children being cared for in their own home, there may be no more than 2 children from another home being cared for by the same provider.

Department means the department of public health and human services provided for in 2-15-2201, MCA.

DT vaccine means a vaccine containing a combination of diphtheria and tetanus toxoids for pediatric use.

DTP vaccine means a vaccine containing diphtheria and tetanus toxoids and pertussis (whooping cough) vaccine combined, including a vaccine referred to as DTaP, diphtheria, tetanus toxoid and acellular pertussis vaccine combined.

Family day care home means a private residence in which day care is provided to 3 to 6 children on a regular basis. In addition to the previous definitional language found at 52-2-703, MCA, the term also means: a day care facility providing care to no more than 3 children under 2 years of age unless care is provided for infants only. For facilities providing care only for infants, family day care home means a place in which supplemental parental care is provided for up to 4 infants. No other children shall be in attendance.

Group day care home means a private residence or other structure in which day care is provided to 7 to 12 children on a regular basis. In addition to the previous definitional language found at 52-2-703, MCA, the term also means: a day care facility providing care to 7 to 12 children unless care is provided for infants only. For facilities providing care only for infants, group day care home means a place in which supplemental parental care is provided for up to 8 infants. No other children shall be in attendance.

(a) Facilities caring for infants shall maintain a staff/infant ratio of 1 caregiver for each 4 infants in attendance unless precluded by other facility staffing requirements.

Health care provider means a licensed physician, a physician assistant-certified, a nurse practitioner, a registered nurse, or a naturopathic physician practicing within the scope of the license.

Hib vaccine means a vaccine immunizing against infection by Haemophilus influenza type B disease.

Infant means a child under the age of 24 months of age.

License means a written document issued by the department that the license holder has complied with the applicable standards and rules for day care centers.

Local health authority means a local health officer, local department of health, or local board of health.

MMR vaccine means a live virus vaccine containing a combination of measles, mumps and rubella vaccine.

Night care means care provided for a child between the hours of 7 p.m. and 7 a.m. during which the parent(s) desires a child to sleep.

Overlap care means care provided at a day care facility for children age 3 and older for the times before and after school and approved by the department for a designated period of time not to exceed 3 hours when the number of children in care may exceed the number of children registered for care on the registration certificate.

Physician means a person licensed to practice medicine under Title 37, chapter 3, MCA.

Preschooler means a child between 36 months of age and the age the child will be when he or she initially enters a public or private school system.

Provider means the applicant for license or registration, the licensee or registrant.

Provisional certificate means a registration or license status that is given to a day care provider, if the provider does not meet all the registration or license requirements but is attempting to comply. This status can be granted for a period of up to 3 months. A second 3 month certificate may be issued at the discretion of the day care licensing program manager.

Public sewage system means a system of collection, transportation, treatment or disposal of sewage that is designed to serve or serves 15 or more families or 25 or more persons for a period of at least 60 days out of the calendar year.

Public water supply system means a system for the provision of water for human consumption from any community well, water hauler for cisterns, water bottling plant, water dispenser, or other water supply that is designed to serve or serves 15 or more families or 25 or more persons daily or has at least 15 service connections at least 60 days out of the calendar year.

Registrant means the holder of a registration certificate issued by the department in accordance with the provisions of Title 52, chapter 2, part 7, MCA.

Registration means the process whereby the department maintains a record of all family day care homes and group day care homes, prescribes standards, promulgates rules, and requires the operator of a family day care home or a group day care home to certify compliance with the prescribed standards and promulgated rules.

Registration certificate means a written instrument issued by the department to publicly document that the certificate holder has, in writing certified to the department compliance with this rule and the applicable standards for family day care home and group day care homes.

Regular certificate means a license status that is given upon determination that the day care provider is meeting all requirements set forth for family day care homes, or group day care homes, or day care centers.

Regular basis means providing day care to children of separate families for any daily periods of less than 24 hours and within 3 or more consecutive weeks. In addition to the previous definitional language found at 52-2-703, MCA, the term also means the child must be in attendance 4 or more days a week for 6 hours a day or more.

Related by blood or marriage means the status of a child who is the son, daughter, brother, sister, first cousin, nephew, niece, or grandchild of a person providing child care.

(a)The term includes the status of a child described above in a step or adoptive relationship.

Restricted certificate means a license/registration status given to a registrant/licensee when it has been determined that the provider is unable to meet certain specific requirement criteria but is participating in an agreed upon plan of correction.

School-age child means a person who is at least 5 years of age and who is younger than 13 years of age or a person with special needs, as defined by the department, who is under 18 years of age or is 18 years of age and a full time student expected to complete an educational program by 19 years of age.

Supplemental parental care means the provision of day care by an adult other than a parent, guardian, or person in loco parentis on a regular basis for daily periods of less than 24 hours.

Toddler means a child who is 24 months of age to 36 months of age.

Vaccine means one of the following:

(a) if administered in the United States, an immunizing agent approved by the bureau of biologics, food and drug administration, United States public health services; or

(b) if administered outside the United States, an immunizing agent administered by a person licensed to practice medicine in the country where it is administered or by an agent of the principal public health agency of that country and properly documented as required by ARM 16.28.704.

References: Section 52-2-703, MCA
Section 52-2-713, MCA
Section37.95.102, ARM

DPHHS-QAD Policy Manual: Supplemental Care
Day Care Registration Procedure

Requirements

The registration requirements for family day care homes, group day care homes, and facilities providing care for infants are available in the booklets entitled Requirements for Registration of Family Day Care Homes, Requirements for Registration of Group Day Care Homes, and Supplemental Regulations for Infant Day Care. The booklets are available from any DPHHS-QAD child care licensing office, Resource and Referral office, or the Central Office Licensing Technician.

Registration Procedure for New Applicant

Any agency, group or individual 18 years of age or older may request to be registered as a family or group day care home provider. Applications for registration may be obtained from any local DPHHS-QAD office, local Resource and Referral office or Indian tribal government office.

Registration Application Packet

A Registration Application Packet shall be mailed to the applicant within five working days of the inquiry.

The Registration Application Packet could include:

- A cover letter with provider instructions;
- Application for Registration Certificate, Family or Group Day Care Home -QAD-088;
- Family Day Care Home Checklist, QAD 99, Group Day Care Home Checklist, QAD 99b, or Infant Day Care Home Checklist, QAD 99a, one copy as appropriate; and
- Family or Group Day Care Home Regulation booklets, one copy, and the Infant Supplemental Guide, as appropriate.
- Personal Statement of Health - QAD 33b,
- Release of Information-QAD-018a (i.e. criminal records check and CPS records check)

- a written fire and evacuation plan;
- Sq.footage report;
- Daily Activity/Written Plan of Activity;
- Sample Menu;
- Other information concerning requirments to be met (i.e., CPR/1st aide)

The applicant returns the completed application and appropriate checklists to a local Day Care Licensing office. The applicant must verify that he/she has fire and liability insurance. The insurance coverage will be sufficient to cover the number of children registered, minus the provider's children. Children cared for during the overlap period must also be covered. **This requirement cannot be waived.**

DPHHS Day Care Licensing Office Review

The licensing worker checks the application, checklist(s) and QAD-33b provider staff health form for completeness. If the forms are satisfactorily completed and indicates the applicant's appropriateness to provide care, the licensing worker recommends approval to the child care program manager/ supervisor and the registration certificate is prepared. The authority to issue a registration certificate lies with the child care program manager/supervisor.

Incomplete Application

If the application is incomplete, the child care licensor or designee contacts the applicant by phone to discuss the application; attaches a short memo for written verification and returns the application or applicable portion of the application to the applicant for completion.

Incomplete or Questionable Health Appraisal

More information may be required if the applicant has failed to check, or has checked "yes" on questions 1-7 of the QAD-033b. The Child Care Licensor or designee returns the appropriate section of the application packet and a QAD 33A - Licensed Care Provider Medical Report, to the applicant along with a written request for the additional information. This information is to be obtained from the applicant's physician or other professional who has treated the applicant's

condition.

Applicants with Reported or Substantiated Child Abuse, Neglect or Physical Violence

The worker must conduct an extensive search into the nature of the reports and their resolution if the applicant has checked "yes", on item 4 on the QAD-088 -Application for Registration Certificate, or if the CPS check reveals Department involvement with the applicant or the family. If the applicant has a substantiated report of child abuse, child neglect, or physical violence, the application may be denied. If the applicant has been reported for alleged abuse or neglect, but the acts have not been substantiated because an investigation is in progress, the worker shall not issue a license or certificate pending the outcome of the investigation. If the investigation reveals no substantiated reports of abuse, neglect, or violence and if the worker has not found other grounds for denial, the applicant may then be issued a regular certificate by the child care program manager/supervisor.

References:

The three references given by the applicant must be contacted by the Child Care Licensor, contact may be by phone, in person, or by mail. A registration certificate will not be issued until all references have responded and the Child Care Licensor is satisfied that the references indicate that the applicant can provide child day care without endangering the children. An effort will be made to contact one additional reference if one of the three references is not conclusive or is suspect. The reference check is only required for initial licenses and is not required for renewals.

Completed Application

A completed application includes:

- completed application for family or group day care home;
- completed checklist for family, or group day care home and infants, if appropriate;
- QAD-33a's - Personal statements of health for the provider, all caregivers and any adults living in the household;
- verification of fire/ public liability insurance;

- Immunization information for the provider, caregivers and any adults living in the household (refer to rule for specific immunizations);
- TB skin test results--this is required for all persons providing direct care to children, including the provider and any employees. The skin test must have been done within the year prior to initial employment;
- three satisfactory reference letters (on initial application only)
- Satisfactory CPS check results;
- Satisfactory criminal records check results--including a department of motor vehicle clearance;
- Written Plan of Activities;
- Sq.Footage Report;
- Sample Menu;
- Proof of CPR/1st Aid certification or proof of scheduled course for CPR/1st aid

Registration Certificate Packet

Within thirty days of the date a **completed** application is received and approved by the Child Care Licensor, a Registration Certification Packet shall be mailed to the provider. The registration packet may include:

- a cover letter
- the Registration Certificate;
- HES-101 State of Montana Certificate of Immunization forms; one for each child receiving day care as well as one for all persons residing in the facility.

- DFS-113 Emergency Contact Information and Parental Consent Form -one for each child's record;
- DPHHS-DCH-200 Pediatric Health Statement-one for each infant in attendance at the facility
- miscellaneous technical assistance material.

Denial of Registration For Incompleteness

If any portion of the DFS-88 Application for Registration Certificate is incomplete, the applicant will be noticed and the application returned. Thirty days will be allowed for the application to be refiled. If the worker has not received the application with the requested additional information within 30 days, the registration will be denied. A applicant denied in this fashion may reinitiate the application process at the point of denial with a written request and the completion and submittal of all required department forms.

Letter Of Denial

Whenever an application for registration is denied, the applicant must be notified in writing of the reasons for denial. The letter of denial also notifies the applicant of the right to a fair hearing which must be requested within 10 days of receipt of the notice of denial, sent by certified mail, and the procedure for requesting the hearing (see QAD 815-10).

Provisional Registration Certificate

If a day care facility does not meet all the requirements but is attempting to comply, a provisional registration certificate may be issued for a period of up to three months. A second three-month provisional certificate may be issued in special circumstances at the discretion of the day care program officer. The total provisional period(s) may not exceed 6 months. *If a certificate is issued under the provisional guidelines, this must be indicated on the license.*

Any time a license is reduced to a provisional status, the provider must be given a right to appeal this decision. See manual section 815-10 for procedures in notifying providers of this process.

Failure to obtain fire and liability insurance cannot be used as a reason to issue a provisional registration certificate. **The requirement that**

the provider obtain fire and public liability insurance prior to registration cannot be waived.

Determination of Legal Action

If an applicant continues to provide care following the suspension, revocation or denial of a license, the department may initiate legal action to assure that the applicant does not provide care without a valid registration certificate or license. See 815-1 for court jurisdiction and program procedure.

Dual Licensure

Applicants who request dual licensure/registration under the day care programs and the youth foster care programs must submit a written plan that clearly addresses the assurance of safety, supervision, personal care, attention, control and protection of children while both populations of children are in their care.

Child Care Licensors, in reviewing a request for dual licensure/registration, shall coordinate with the foster care licensing specialist and determine concurrance with the applicants written plan as indicated above.

Overlap Care
ARM 11.14.324(2) and 11.14.418

The intent of overlap care is to provide care for an increased number of children before and after school. If the provider would like to utilize overlap for their facility, the request must be made in writing from the provider. Overlap care must meet the following conditions:

1. Overlap care shall not exceed three hours in total each day.

2. Overlap care is not permitted for children under the age of three years.

3. Family day care homes may care for two (2) additional children during the approved overlap time. Group day care homes may provide overlap care to 8 children with one caregiver during the approved overlap period. If

during this overlap period, the number of children increases to 9 or more, two caregivers must be present.

4. Child day care homes providing two shifts of care within a day may be granted three hours of overlap care for each 12 hours of continuous care, upon the written approval of the respective child care licensor or supervisor.

5. Overlap care shall not occur until the provider has received written approval of the overlap plan from the department.

***NOTE*:** Due to emergency evacuation problems, group day care facilities that use any floor above the 1st floor, for any day care purposes, will not be approved for overlap unless fire safety codes are met.

For this purpose, the first floor is defined in Article 4 of the 1991 uniform building code page 31: In the case of a split level single family home, the lowest floor level will be considered to be basement level and the floor above to be the 1st floor, if that floor has at least 2 remote exit doors leading directly to the exterior.

Procedure The provider submits to the local child care licensor's office, a plan for the overlap care to be provided during specific time periods for a specified number of additional children.

DPHHS Day Care Licensing Office The Child Care Licensor reviews the plan for approval or recommendation to the supervisor. When the overlap plan is approved, a new Family or Group Child Day Care Home Registration Certificate is completed. Overlap hours and the number of additional children approved are listed on the certificate. The certificate is sent to the provider indicating the department's approval.

Overlap care ceases upon the annual certificate renewal date. If overlap care is to continue, the provider submits a continuation plan at registration renewal. The renewal registration certificate is marked to indicate the overlap hours and number of children approved by the

department.

DocGen Certificate: certificate of registration or licensure

Once the day care registration is approved in the CAPS system, a certificate will be issued. This Certificate will include such information as, the name of the registrant, the registration period, the number and ages of children to be cared for (including the number of children belonging to the provider), the certificate status (regular or provisional) and other pertinent license information, i.e., overlap numbers, restrictions, etc.

The certificate is generated as a result of information entered into the CAPS system. Much of what goes onto the certificate is obtained from the FALD and FACD screens. It is necessary that the information on the certificate be consistent as to: (1) the numbers of children being provided care, (2) whether the certificate is a provisional or a regular certificate, (3) the number of infants allowed and (4) whether the facility has a name different from the licensee (AKA Name).

To add these components to the certificate, child care licensors will need to utilize the "Licensed For" field on FALD.

Listing number of children

In order to indicate the number of children for whom care can be provided, workers will need to indicate it as follows:

"Licensed for (# of children, ages xx to xx) ***including*** (xxnumber) of the providers own."

Other components on certificate

Other important registration components must be added to the certificate. By utilizing FALD and the "licensed for" field, workers can indicate whether the certificate is Provisional, the number of infants allowed, and whether the facility goes by a secondary name. If the number of infants is not otherwise noted, the maximum allowed by registration category (i.e., FDCH=3 infants, GDCH=6) will be listed on the certificate.

An example would look like this:

"Licensed for: 6 children, 0-12, including two of the providers own, 2 infants allowed. Provisional. ABC Day Care."

This information may be abbreviated as necessary.

References

Section 52-2-721 through 52-2-722, MCA
ARM Sections 37.95.106 through 37.95.108.

DPHHS Policy Manual: Supplemental Care
Day Care Orientation and Training

Purpose

This policy's intent is to clarify the child care licensing program worker's role, the R&R agency role in the orientation process and outline the information to be presented. New provider orientation information will be consistent statewide. Additionally, this section will specify the new information concerning mandatory training for all day care providers.

R&R Agency Role--orientation

The District Resource and Referral Agencies, in consultation and assistance with the local Child Care Licensor, will coordinate the orientation for providers. Once orientation has occurred, the R&R will submit the names of the attendees to local licensing staff, so that the information can be recorded.

In the event of an unusual circumstance where a provider is unable to attend the orientation, the R&R agency, the DPHHS licensing representative and the provider will agree upon and document a plan for completion of this requirement.

Licensing's Role--orientation

Family and group day care home providers must attend a basic day care orientation within 60 days of becoming registered. Each child care licensing office--in coordination with the local R&R agency-- shall ensure that orientation is available for **all** registered providers in the district. The local licensing worker will communicate to the R&R, the names of providers who are "provisionally" registered or have made application and are needing to attend the orientation session.

Orientation Content

The content of the orientation will include the following topics:

Health--areas to be covered include: immunizations, communicable disease, sick child care policy, hand washing procedures, first aid basic content/checklist, universal precautions, medical release, medication administering procedure, health and sanitation regulations, and other health related issues

Safety --incident reporting, child proofing the home/outdoor environment, transportation safety, personal safety (contact with others),

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Safety --incident reporting, child proofing the home/outdoor environment, transportation safety, personal safety (contact with others),

fire safety, accident prevention, equipment checks/safety, emergency procedures, signs and symptoms of abuse/neglect, mandatory reporting, insurance requirements, other safety issues.

Child Development/Well-Being -- Environment and routines, Special needs/ADA, ages and stages and curriculum.

Discipline/Guidance -- "time out" issues, redirection, assessing curriculum and environment to minimize behavior problems, developmental appropriate guidance.

Nutrition/Food Safety --Food preparation and safety dietary guidelines

Business Aspects of a Child Care Business --Record keeping, contracts/policies, daily attendance, children's files, tax information, professionalism, State Child Care Assistance, staffing requirements.

Responsibilities

R&R Agency

The R&R agency is responsible for setting up the orientation training, sending out notices of the training and as applicable, coordinating speakers. Several of the subject content areas will be presented by R&R agency staff.

Licensing Worker

The licensing worker has a major role in this process. The licensing worker will cover the following areas as **the areas relate to the rules and regulations governing the day care licensing program. The R&R agency and other community speakers may cover the same topics but in more specific or a community related manner.**

Topic Areas:

1. Why do we regulate?
   - A. MT. Law regarding regulation--definition and Purpose statements
   - B. Penalty for Illegal Operation

C. Benefits of Regulation--state assistance, CACFP, Tax benefits, etc.

2. A. Licensing Worker Review of Application
   1. Time frame for license/registration issuance
   2. Helena Process for Issuance of certificate
   3. What does the Certificate indicate?
      --That the provider meets the *minimum standards*, does not indicate in all cases that there has been an on-site inspection prior to issuance.

   B. Orientation

3. Types of Day Care Facilities
   A. Three main Types
      Family Day Care Homes
      Group Day Care Homes
      Day Care Centers
   B. Infant Only Facilities
   C. FDC and GDC
   1. Most requirements are the same for FDC and GDC
   2. Paperwork Requirements for Family and Group Day Care Homes
      a. Immunization Forms (unless the public health nurse if covering immunization information)
      b. Day care contracts -(unless the R&R is already be covering)
      c. Emergency contact information
      d. Written feeding schedules for under age 2
      e. Written first aid policies
      f. Notation of all Injuries
      g. Record of Food served
      h. Daily Attendance Record
         I. Master list of Parents and children
      j. Pediatric Statement of Health--***unless public health nurse is covering***
      k. Provider Policies--as they relate to regulations

3. Overlap
   a. Definition
   b. Intent
   c. Numbers for FDC, GDC
   d. Approval process

4. Regulation Highlights

   A. Provider Qualification and Responsibilities
      1. Age
      2. Mandatory Reporter
      3. Report Accidents
      4. CPR/First Aid Training
      5. Orientation
      6. Supervision
         a. What does Supervision mean?
         b. Night care issues
      7. Background check--what do they mean?

5. Building Requirements
   A. 35 sq. Feet per child (indoors)
      --usable space: What is considered?
   B. 75 sq. ft. per child outdoors
   C. Building in good repair--cleanable
   D. Protective covers on outlets
   E. Napping rooms/ventilation
   F. Basements
   G. Third Stories

6. Fire Safety Requirements--***Unless the fire marshall is already covering***
   A. Escape Plan
   B. 2A10BC fire extinguisher
   C. Working Smoke Detector
      1. Where do they have to be located?
   D. Wood Burning Stoves
   E. No portable heating devices
   F. Two means of egress

G. Window and door openings
H. Documentation of 8 fire drills

7. Health and Safety Requirements
   A. No smoking
      1. Define
      2. Assuring a smoke free environment
   B. Toxic Materials Inaccessible
   C. Medications
   D. Gun/Ammunition Locked and Separated
   E. Poison Control Number, 1-800-525-5042
   F. Protective covers for outlets
   G. Fenced Play area

8. Discipline
   A. No spanking, slapping
   B. No shaming, humiliation
   C. No frightening, yelling
   D. Alternative Methods
      1. Talking, explanation
      2. Time out, remove, re-direct
      3. Positives, praise, problem solving
      4. Developmentally appropriate activities will help ensure more positive behaviors
9. Frequent Problems
   A. Findings for current 20% sampling--Most Frequent Area's of Non-compliance
   B. Supervision
   C. Parent-provider communication
   D. Discipline

10. Montana Code Annotated
    A. Mandatory Reporting
       1. Reporting on Suspected Child Abuse and Neglect MCA 41-3-201
       2. Signs and Symptoms of abuse or neglect
       3. Report Contents
          How to report, including what information is

necessary to ascertain a good report

4. Civil Liability--there is none if the report is made without malicious intent.

B. Failure to Report

1. MCA 41-3-207

Mandatory Training

The provider and all caregivers must verify that they have received a minimum of at least 8 hours of continuing education on an annual basis. This training must be considered "approved" training. Approved training is that which has met the criteria of the Montana Career Development System guidelines. The criteria for approved training includes:

- Training must be at least 2 hours in length;
- Content of the Training must be based upon the Montana Early Care and Education Knowledge Base (see below)
- Training must be geared so that there is interaction between the provider and the instructor: face to face sessions, written correspondence, email instruction, etc;
- If training occurs through a college level course, then the institutuion of higher learning must be accredited and recognized by the US Department of Education.

Other guidelines are currently being developed for distance learning options.

Knowledge Base Content Areas

The 8 hours of training must be completed in the following topic areas as defined by the Montana Early Care and Education Knowledge Base:

- personal attributes/characteristic;
- health, saftey and nutrition;
- child growth and development;
- environmental design
- child guidance;
- family and community partnerships;
- program management;
- curriculum;
- observation and assessment;
- professionalism; or

- cultural and developmental diversity

For newly registered providers, the mandatory orientation session will count toward the 8 hours of mandatory licensing training, *in the first year only.* Additionally, the hours associated with CPR/1st aid *do not count* toward the 8 hours of mandatory licensing training.

Furthermore, those providers who participate in the CACFP program, can apply *3 of that programs 5 required training hours* toward licensing's 8 hour requirement.

CPR/1st Aid

The provider must hold a current certification card in cardiopulmonary resuscitation (CPR) including infant choking response. If the caregiver is caring for children under the age of 8, it is also required that the provider have certification in infant-child CPR and standard first aid.

Providers, who upon initial registration, have not been able to complete a certification course due to the scheduling of the community classes, will be granted a provisional registration/approval (for center caregivers) until the course is completed and documentation submitted to the department.

References:

52-2-723 and 731, MCA
37.95.620, ARM
37.95.701, ARM

Introduction

Montana Code Annotated requires "the department must visit and inspect at least 20% of all registered family day care homes and group day care homes in each of the governor's planning regions annually". (MCA 52-2-733).

The following policy and procedures should ensure equal treatment of registrants on a statewide basis while continuing the policy of flexibility at the district level to allow for local variations as needed.

Sample

On an annual basis, the Program Supervisor will determine the number of facilities to be inspected by utilizing the most current CAPS list registered family and group day care home providers. The Child Care Licensing worker will determine which providers are selected for survey. Unless special circumstance exists, the licensing worker will not repeat a 20% visit to a provider who has been previously visited. The licensing worker, will include in their selection of providers to be inspected **all newly registered providers.**

Each licensor is responsible for establishing their own survey schedule ans shall submit to the central office a progress report of the visits. The reports shall be submitted via e-mail to the program supervisor on a quarterly basis.

Visits to providers

Montana Code Annotated states "it shall be the duty of every applicant for a license or for registration and every licensee or registrant to give the right of entrance to and inspection of premises to representatives of the department at reasonable times, to keep and maintain such records as the department may prescribe, to permit inspection of these records, and to report to the department such facts as may be required on forms furnished by the department". (52-2-732 MCA).

It is the QAD-Licensure Bureau policy that where ever practical, licensing workers visits to the 20% sample providers shall be unannounced. **All** annual license visits to day care centers shall be unannounced as required by 52-2-733, MCA.

Compliance

When the worker determines that the provider is out of compliance

Letters

with one or more of the minimum requirements for registration, a letter of deficiency will be issued. In some cases, a minor infraction of the rules may occur. Licensing workers may document a verbal plan of correction on the survey tool and decline to include the infraction in a letter deficiency. In these cases, other means of documentation may include the comment area of the appropriate survey tool, provider checklist or in CAPS on the PRCL screen.

The DPHHS Child Care Licensing Worker may disagree with the provider's perception of whether one or more of the requirements have been met. In these instances the licensing workers interpretation of the rules and regulations shall prevail after consultation with the program supervisor, who in turn, may consult with the bureau chief and/or legal department. If violations are noted, a letter of deficiency shall be issued following the site visit and inspection. A general principal for the licensing worker is that nothing is official until it is documented. The letter of deficiency is sent with a cover letter and must contain the following elements:

- **Rule Violation**: the deficiency notice must contain the specific violation of licensing requirements. The full text of the administrative rule of Montana section will be listed on the department's side of the form;

- **Justification:** The deficiency notice must contain justification for the determinations of non-conformity, i.e., "As evidenced by: worker observation, through provider/parent/child interview, other agency personnel observation, etc;

- **Notice:** The cover letter must include a notice that failure to correct the deficiency can negatively impact the registration/license certificate; and

- **Time Limits:** The cover letter must contain the time limits for compliance. Generally, the provider has 10 working days from the receipt of the letter of deficiency to submit an acceptable plan of correction. However, at worker discretion, the time limit may be varied.

Some areas of non compliance may take additional time to bring into compliance. Completion dates for Plans of Correction can be accepted with 60 to 90 days as approved by the licensing worker.

Registration Revocation/and or Suspension

If any one violation places a child in imminent risk, harm or danger, revocation or suspension may be immediate. The licensing worker will recommend immediate suspension or revocation to the program supervisor who in consultation with the bureau chief and the department attorney will initiate the process to determine if there exists enough direct evidence for the action. If so, the program supervisor will coordinate with the worker to implement the action. Such actions may involve writing affidavits and securing approval from the Department's Hearing's Officer.

It is the QAD policy that if the provider is out of compliance with requirements that do not place children in immediate danger, the letter of deficiency may be considered a notice of non-compliance, and can result in a reduction of the license, a restriction against the license or result in a process called the Directed Plan of Correction. Notice of these license actions shall be included in the cover letter.Copies of all provider notices/or negative licensing actions should be sent to the program supervisor via E-mail.

No denial, suspension, reduction or revocation letter shall be sent with out first seeking consultation with the program supervisor. The program supervisor may also consult with the bureau chief and/or department attorney in determining whether the action is appropriate.

Any denial, suspension, reduction or revocation letter sent shall include instructions for and notification of the right to request a hearing "within ten (10) days of the notice of department action". Notice is deemed given upon receipt of a certified letter from the agency. Copies of a denial, suspension, reduction or revocation will be sent to the program supervisor, and the DPHHS hearings officer.

References

Section 52-2-733-MCA and Section 52-2-732,MCA

DPHHS Policy Manual: Supplemental Care
Checklist for Family Day Care Home (QAD-99), Infant Care (QAD-99A) and Group Day Care Home (QAD-99B)

Purpose

The Family, Group and Infant Day Care Checklists, were developed to:

- ensure that all requirements are reviewed with each provider and that the provider understands the rules;
- maintain consistency in applying the requirements to providers statewide;
- provide the department with documentation for action; and
- help the department through uniform record keeping to ascertain which requirements need to be amended, deleted or further strengthened.

The checklists are used on at least these occasions:

- a checklist is mailed to each applicant to be completed and returned with the QAD 88 Application for Registration;
- when the provider relocates to a new site; and
- upon renewal of registration certificates.

Description

Each checklist follows the same format and is in duplicate so one copy can be given to the provider. The checklist is not a substitue for the survey tool which must be completed during the on-site inspection/visit.

The number in the far left-hand margin on each checklist corresponds to the number of the rule as it appears in the day care regulation booklets.

The second column, labeled "Rule #" contains the number as it appears

in the Administrative Rules of Montana (ARM). Warning letters and compliance letters or other written notice of adverse action should contain a reference to both the booklet number and the rule number.

The third column, "Area of Evaluation and/or Inspection", contains an abbreviated statement of the requirement as it appears in both the day care regulation booklet and the Administrative Rules of Montana. The department representatives need to be familiar with the complete rule while keeping in mind that the "checklist" is a tool to be used to record that the rule has been reviewed with the provider.

The fourth through sixth columns are to be used by the **provider** to note whether s/he is in compliance with the rule.

Comments

At the end of each checklist is a Section labeled "comments". The department representatives should utilize this if particular details need to be noted.

Signature(s) and Date

The checklists contain lines both for the signature of the provider completing the checklist. There is also space for the provider to sign and verify whether s/he concurs or does not concur with the findings.

References

Section 52-2-733, MCA
Sections 37.95.102 through 1021, ARM

DPHHS Policy Manual: Supplemental Care
Day Care Center Licensing Requirements

Requirements

The licensing requirements for day care centers are available in a booklet entitled Licensing Requirements for Day Care Centers. The booklet is available from the District DPHHS Office or Program Management Division (444-5900). Also, the regulations are contained in the Administrative Rules of Montana 11.14.202 through 11.14.229.

References

Section 52-2-723 through 52-2-725
ARM 11.14.202 through 11.14.229

DPHHS Policy Manual: Supplemental Care
Day Care Center Licensing Procedure

Licensing or Registration Type

For specific definitions of day care facilities, refer to section 815-2.

Inquiry

Upon receipt of an inquiry regarding center licensing, the Child Care Licensor may suggest that the state or local fire officials, the local health official(s) and the City/County Planning Department be contacted to provide consultation regarding adequacy of the building.

Licensing Procedure for New Applicant

Any individual, agency, or group may apply for a license to operate a day care center. An applicant who has had a previous day care application denied or who has had a day care license revoked may not reapply for licensure within one year of the denial or revocation. Applications may be obtained from any DPHHS office Child Care Resource & Referral Agency or Indian tribal government office.

Application packet

Application packet includes:

- DFS-25 Application For License For Child Day Care Center
- QAD-033b Statements of Health, (sufficient number for each employee, aids and volunteers)
- QAD-018a, Release of Information, (sufficient number for each employee, aides, and volunteers), for purposes of conducting criminal, DMV and CPS background checks;
- Insurance Verification form;
- QAD-99c Day Care Center Checklist;
- QAD-99a, Infant Care Check list (if appropriate);
- Sq. Footage/floor plan calculation form;
- Written Activity Schedule;
- Sample Menu form;

- cover letter

Site Visit

Within 30 days of receipt of a completed application (see below for details), a Child Care Licensor must visit a prospective day care center to inspect and observe the program and facility.

Granting a License: consideration

Before a License can be considered and thus granted, the following must be submitted to the department:

- An approved inspection report from the DOJ Division of Fire Prevention and Fire Investigation program or a local fire official indicating that fire safety rules have been met. **This requirement may not be waived;**
- An approved inspection report from the Public Health Authority (i.e., local sanitarian) certifying the satisfactory completion of training or a certificate of approval following inspection of the facility by local public health authorities. **This requirement may not be waived;**
- Proof of Fire and Public Liability Insurance. It must be currently in force for the protection of the operator, staff and the facility. Insurance shall cover the number of children for which the facility is licensed. **This requirement may not be waived;**
- Schedule of Daily Activities;
- Completed Sample Menu;
- QAD-33b, Statements of Health for the Director of the Center;
- Proof of Director Immunizations;
- Signed QAD-18a, Release of Information forms for the director; and
- Written Fire and Emergency Evacuation Plan

Staff Files: established by center director

The Director is responsible for establishing staff files which MUST contain the following information for each staff person:

- 3 letters of reference;
- completed health statements;
- Release of Information Forms for the purposes of conducting background clearances;
- Completed Background checks: Criminal, CPS and DMV (for staff who transport);
- Completed and up to date immunization verification;
- Education and work experience.

This information must be available to licensing staff upon the site visit. A license cannot be granted until this information is verified.

Local Health Authority: Other Day Care Center Responsibilities

The Department's Food and Consumer Safety Section is responsible for adopting rules for the protection of children in day care centers from the health hazards of inadequate food preparation, poor nutrition and communicable diseases. Copies of these rules are available from the State Health Department, Tribal Government offices, or the local office of the Department. (ARM Title 16, Chapter 24, subchapter 4).

Recommendation for Licensure

When the department receives approval from the fire Marshall and the local health authority as well as written verification of public liability and fire insurance, submission of all the required items listed above and the site visit has occurred *(verification of staff files is complete)*, a decision to approve or deny a license should be made within 10 working days.

If the applicant meets the requirements for licensure, the Child Care Licensor will make a recommendation to the Child Care Licensing Program Supervisor, who then approves or denies the license.

Periodic Visits Investigations and Consultation:

The department Child Care Licensor make periodic visits to all licensed day care centers to ensure that minimum requirements are maintained. Every licensed center should be visited at least twice a year, with one visit being unannounced.

Upon request the department shall give consultation to any licensee who desires to improve the services of his or her program.

References Section 52-2-704(2)(d-g) through 52-2-741, MCA
37.95.106, ARM

DPHHS Policy Manual: Supplemental Care
Renewal Procedures for Day Care Facilities

Family Homes
Group Homes

Prior to registration expiration (90-120 days), the Department should send the provider a license expiration notice and a renewal packet. The packet includes:

- cover letter;
- QAD-25B - Renewal Application for Day Care;
- QAD 33b - Personal Statement of Health for each person providing care and for all adults who live in the residence;
- QAD-99 - Family Day Care Checklist, QAD-99b Group Day Care Checklist, QAD-99a Infant Checklist or, one copy as appropriate.
- QAD-18, Release of Information forms, for each person providing care and for all adults who may live in the residence
- Other materials as necessary;

When the renewal application is completed and returned, the licensing program administrative support person will enter and update into CAPS the following information:

- The criminal and protective services background check and the results;
- Health statements for each caregiver and residents;
- verify and update insurance (both liability and fire insurance);
- verify the providers address and phone number;
- verify and update overlap hours and days of care; and
- verify the "Publish" category;

The Central Office Administrative Support staff will also verify that the provider has submitted proof of CPR/1st Aid and 8 hours of approved training, her/himself and all persons providing direct care to the children.

The renewal application will then be forwarded to the respective child

care licensor for a review of:

- any checklists for concerns,
- verification of CPR and First Aid,
- verification of 8 hours of approved training (in appropriate Knowledge Base Content Areas),
- results of criminal and protective services background check
- caregiver and resident immunizations ; and
- other renewal paperwork material as deemed necessary.

Once the child care licensor has reviewed the renewal material for accuracy, the licensor will either initially approve or deny the renewal application. If the licensor initially approves the renewal, he/she will enter into CAPS the effective date of the registration, and indicate approval by placing a "Y" in the approval field.

A recommendation for final approval is generated through an alert to the Program Supervisor. If the Program Supervisor concurs, he/she will indicate such by placing a "Y" in the respective field on CAPS.

Should the renewal application be denied, the child care licensor will staff the reasons for denial with the Program Supervisor. If it is agreed that the renewal application is to be denied, the child care licensing worker will indicate a TRM code in CAPS applicable to the reasons for denial. The worker will notice the provider in writing of the reasons.

Recommendation and notification of approval or denial will be accomplished within 30 working days of a completed renewal packet. Renewal recommendations shall not be held up waiting for criminal and protective services background checks to be completed. A provisional registration can be recommended. The department can take retroactive negative registration action if the background checks return with a record, which would disqualify the person as a caregiver.

Upon the completion of the renewal process the following will be sent:

- (optional) cover letter; and

- registration certificate.

Upon the request of the provider, the following can also be sent:

- QAD-113 - Emergency Contact Forms;
- HES-101, State of Montana Certificate of Immunization;
- DPHHS/QAD 200- Pediatric Statement of Health and
- other miscellaneous technical assistance material.

Provisional Registration

If a provisional registration is granted as a result of any action, including actions resulting from incomplete background checks, the provider will be sent a letter with the provisional registration certificate explaining the reasons for the provisional status, what must be done to lift the provisional status and the time frame for completion. See Section 815-10 for Negative Licensing action and Due Process Rights.

Day Care Centers

Prior to the expiration of the day care license (90-120 days), the department shall send the provider a license expiration notice and a renewal packet. The packet includes:

- cover letter; (see sample)
- QAD 33b - Personal Statement of Health for the director, primary caregivers and aides;
- QAD-18, Release of Information form, for the director, caregivers, or other persons having direct contact with the children; and
- DFS 25 - Application for Renewal of Day Care Center License.

Upon receipt of the completed application, including fire marshal certification, local health authority certification, written verification of liability and fire insurance, and verification that each staff person has had

a criminal and protective services background check conducted, the child care licensor will conduct an on-site inspection. If the on-site inspection is satisfactory, the **child care licensor** will review the packet materials--including:

- verification of CPR and First Aid for primary caregivers;
- verification of 8 hours of approved training (in applicable Knowledge Base Content Areas);
- Criminal and protective services background check verification; and
- review other licensing paperwork as deemed necessary.

If this review and the onsite inspection satisfactorily meet the criteria necessary for licensure, the licensor will update the licensing record to include:

- Results of the criminal and protective services background check (as provided by the center director) for each caregiver and other people having direct contact with the children;
- update that health statements for each staff person;
- verify and update insurance (both liability and fire);
- update health inspection and fire inspection dates;
- verify that the providers address (physical and mailing) and phone number are correct;
- update days of care; and
- verify the "Publish" category;

Once the child care licensor has reviewed the renewal material for accuracy, the licensor will either initially approve or deny the renewal application. If the licensor initially approves the renewal, he/she will enter into CAPS the effective date of the license certificate, and indicate approval by placing a "Y" in the approval field.

A recommendation for final approval is generated through an alert to the Program Supervisor. If the Program Supervisor concurs, he/she will indicate such by placing a "Y" in the respective field on CAPS.

Should the renewal application be denied, the child care licensor will staff the reasons for denial with the Program Supervisor. If it is agreed that the renewal application is to be denied, the child care licensing worker will indicate a TRM code in CAPS applicable to the reasons for denial. The worker will provide written notice to the provider of the reasons for denial.

Recommendation and notification of approval or denial will be accomplished within 30 working days of a completed renewal application. Renewal recommendations shall not be held up waiting for criminal and protective services background checks to be completed. A provisional registration can be recommended. The department can take retroactive (negative) registration action if the background checks return with a record, which would disqualify the person as a caregiver.

Upon approval of the day care center license, the following will be sent to the provider:

- cover letter (optional); and
- license.

Upon request of the provider, the following may also be sent:

- HES 101, Certificate of Immunization for each child, including the providers own children while in care; (If unavailable from the local health department);

- QAD 113 - Emergency Contact Forms;

- DPHHS/QAD 200- Pediatric Health Statement, for children 0-2 (if unavailable through the local health department).

- other miscellaneous technical assistance material; and

If a provisional registration is granted as a result of any action, including actions resulting from incomplete background checks, the provider will be sent a letter along with the provisional license certificate explaining

the reasons for the provisional status, what must be done to lift the provisional status and the time frame for completion.

References

Section 52-2-725 MCA
Section 11.14.103(5) ARM

DPHHS Policy Manual: Supplemental Care
Renewal Procedures for Day Care Facilities

Sample Letter

Date

Name
Address
City State Zip

Dear:

It is time to renew your day care registration/license. Your current registration certificate/license will expire on _____. If you plan to continue to provide day care, you must renew your registration/license. This office must receive your completed renewal packet by _____ in accordance with MCA 52-2-725.

"Renewal license--registration certificate. If a licensed or registered day care facility desires to renew a license or registration certificate, the request for renewal shall be made in writing, on forms prescribed by the department, in the county in which the applicant lives, 30 days prior to the expiration of its license or registration certificate."

Enclosed are the proper renewal forms for you to submit along with the checklist to assist you in making sure all necessary forms and information are submitted.

Please return your completed renewal packet to:

Name
Address

Incomplete and late applications will delay the renewal process. This may in turn delay payments for state-paid day care services or child care food program payments.

If the department does not receive the renewal packet back from you by

your certificate expiration date, we will assume you are no longer providing day care services and your certificate/license will officially be terminated.

If you need additional information, please contact the Licensing Program Administrative Support staff at _____.

Sincerely,

Child Care Licensing Administrative Support

DPHHS Policy Manual: Supplemental Care
Negative Registration/Licensing Action

Action

The department, after written notice to the applicant, registrant or licensee, may deny, suspend, restrict, revoke or reduce to a provisional license or registration certificate upon finding that the applicant has not met the requirements for licensure or registration as set forth in the rules. Examples of this include:

Facility Specific

- A day care center facility that is not in full compliance with fire safety requirements as determined by the state or local fire official;
- A day care center facility that is not in compliance with health sanitation requirements as determined by the state or local sanitarian
- A day care facility that is not in substantial compliance with registration or licensing requirements and such non compliance harms the welfare of a child(ren). Inappropriate child to staff ratio's, which could constitute a lack of supervision, is an example of this. Such determinations must be made by child care licensing staff in consultation with the program supervisor, bureau chief or division administrator.

Applicant/Person Specific

- An applicant, registrant or licensee that has made any misrepresentations to the department, either negligent or intentional; regarding any aspect of the operation or facility;
- An applicant, registrant, licensee, or staff member of the facility that has been named as the perpetrator in a substantiated CPS report of abuse or neglect; or
- An applicant, registrant, licensee or staff member, as a mandatory reporter has failed to report an incident of abuse or neglect to the department as required by Section 41-3-201 MCA.
- An applicant, registrant, licensee that has been convicted or adjudicated by a court of competent jurisdiction of a felony or misdemeanor as indicated in 37.95.109 (2)(a)-(b);

- Any registrant or licensee who keeps on staff, a person who meets the disqualifying criteria as outlined in 37.95.109.

Any person who is awaiting trial for a crime which constitutes harm to children or adults, or any felony drug related offense, may not provide care or be present in the facility pending the outcome of the trial.

In addition to the bullet points above, the following concerns can also be reason for negative licensing action, or can disqualify a person from providing care in a day care facility:

- If the department believes there is reasonable cause that an applicant or licensee or caregiver has a mental illness or emotional disturbance, which might create a risk to children in care. A licensed medical professional (such as a psychiatrist, psychologist or other licensed clinician) shall make this determination. The department may request that the applicant, registrant, licensee or caregiver obtain a psychological or psychiatric evaluation at the person's own expense;

- The applicant, registrant, licensee or staff member are chemically dependent upon drugs or alcohol. Chemical dependence on drugs or alcohol shall be determined by a licensed physician or certified chemical dependency counselor. The department may request the caregiver to obtain an evaluation at the caregiver's own expense if there is reasonable cause to believe chemical dependence exists.

Immediate Suspension in Emergency Situations

Immediate suspension or revocation can occur in the following situations:

- Local or state law enforcement has initiated a criminal investigation and the investigation involves allegations concerning harm to children;
- If non-compliance on the part of the provider a child in serious or imminent danger or harm,
- If there has been a report of child abuse or neglect from the department's centralized intake unit, local CPS office or local law

enforcement agency and the licensing staff investigation suggests there may be continuing danger or imminent harm to the children cared for in the home or facility

- If the department determines the health, safety or welfare of children at the facility or home is in immediate or imminent jeopardy.

Process

For an immediate order of suspension or revocation, the worker and the workers supervisor must first complete an affidavit in support of the immediate suspension or revocation. The affidavit must present the facts in their totality and show that there are reasonable grounds to believe that the children who attend the facility are in danger or imminent harm.

Once the affidavit is completed, the agency's legal unit will review the affidavit document and request the Hearings Officer, through a MOTION AND BRIEF, to order the immediate suspension or revocation.

Noticing the provider

Once the Hearings Officer has signed the MOTION AND BRIEF, the provider must be notified. In situations involving immediate suspension or revocation, the department must serve the ORDER and subsequent letter of suspension or revocation—which is signed by the program supervisor, or bureau chief or division administrator--to the provider in person. The initial documents may include a fax version of the original affidavits, MOTION, BRIEF and ORDER. If fax versions are served to the provider, the department *must* submit to the provider via certified mail, the original documents.

The worker shall not serve these document(s) to the provider unless at least one other professional person—such as another QAD Licensing staff, a CPS worker or a law enforcement officer--accompanies the worker to the facility. If children are in attendance at the time of the in-person notification, the worker will remain on site until all children have been picked up by their parents.

The Child Care Licensor will verbally notify ALL parents of the department's action. If the department cannot verbally notify the

Noticing the Parents

parent(s), then the Child Care Licensor (under the signature of the program supervisor) shall provide a letter to each parent who has children at the home or facility notifying them hat the license or registration has been suspended or revoked.

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Suspension During Investigation of Abuse or Neglect

The worker will follow the same affidavit/motion and brief protocols outlined above for all suspensions of this nature.

Suspension or revocation during non-immediate situations

There will be situations, which warrant suspension, closure or termination, which are not immediate. In these cases, the affidavit, motion and brief documents are not necessary. It is only necessary to have a preponderance of the evidence (to be staffed by the worker and the workers supervisor) that the non-compliance warrants the action. The provider is to be notified in writing—via certified mail or hand delivered--of this action. Refer to Page 5-6 for specifics regarding notification letter content.

Resource and Referral

Because the R&R agency is responsible for referrals to providers as well as the management of the subsidy and training programs, it is important that certain information be shared.

The following information may be shared:

- General Information:
  The R&R agency may be informed when essential health and safety issues are a concern, but details may not generally be shared

- Investigations:
  The Child Care Licensor may reveal that an investigation is ongoing but the details of the investigation are not to be revealed. Policy section 815-15 addresses this information in more detail.

The Child Care Licensor may require the R&R to temporarily remove a providers name from the referral listing, pending the outcome of the investigation.

- Investigative Conclusions:
  The R&R may be informed that as a result of the investigation, the license/registration has been reduced to provisional or restricted status or that the license/registration has been suspended or revoked, except when the program has determined that the R&R needs to know the details of the action—such as for purposes of training or technical assistance. Otherwise, the program will not release details of the investigative conclusion.

If, as a result of an investigation, Training and Technical Assistance (T&TA) services are requested by the department, the department will notify the R&R of the deficient areas by releasing the corresponding deficiency notice. This document, while considered public information, should not be released as such from the R&R agency. The Licensing program is the entity to 'officially' release this information

Substantiated CPS Report

If the CPS investigation substantiates the report of child abuse or neglect, the license or registration may be suspended, revoked or reduced to provisional status depending on the circumstances of the particular case, pending CPS due process. If through the CPS due process (internal review, fair hearing, district court), the substantiation is upheld, the licensing program may terminate or revoke the day care license/registration or disapprove a previously approved caregiver.

Unsubstantiated Report either Licensing or CPS

If the report is unsubstantiated, and the registration or license has been suspended, revoked or reduced, the registration or license may be reinstated, subject to any other licensing actions, which may be necessary.

Written

Written notice shall be given to the licensee or registrant any time there

Notice is a change in status—such as a reduction, a suspension, a revocation--to the facility license or registration. This written notice is to be sent by certified mail or may be hand delivered. Actions resulting in immediate suspension, as addressed earlier, MUST be delivered in person. Certified mail is the preferred method, however, if the notice is hand delivered, the department must provide verification that the provider received the document. For example, the licensor should include at the bottom of the written notice, a statement that acknowledges the providers receipt of the information. This should be signed and dated by the provider.

The basic written notice should include:

- the reasons for the action,
- the specific rule citation,
- the person's right to appeal; and
- the fair hearing appeal procedure and process.

Hearing Any person dissatisfied because of either the department's refusal to grant a license or certificate, or the department's action in regard to a license or certificate may request a hearing as provided for in 52-2-726 MCA. The hearing must be requested within 10 days of receipt of the notice of closure, suspension, reduction or denial.

NOTE Parents are to be informed when a LICENSING action results in suspension or termination. Parents MAY be informed when other negative licensing actions occur. If the suspension or revocation is the result of a CPS substantiation, parents and the public are to be notified of the revocation or suspension action only. The Licensure Bureau will not release information pertaining to CPS investigations.

References

Section 52-2-702(1)
Section 52-2-703, MCA
Section 52-2-726, MCA
Section 41-3-201, MCA

DPHHS Policy Manual: Supplemental Care
Negative Registration/Licensing Action

Section 41-3-205, MCA
Section37.95.108-109, ARM

DPHHS Policy Manual: Supplemental Care
Extended Licensing Procedure

Purpose

The purpose of this policy is to explain to child care licensing workers the procedure for issuing a day care facility license or registration certificate beyond the one-year period.

History

Prior to the enactment of HB190 (which became effective October 1999), all day care facility license/registration certificates were issued for periods not to exceed one year.

The passage of HB 190, allows the department to issue a certificate that remains in effect for a period not to exceed 3 years. However, the legislation stipulates that in order to be granted the three-year license/registration certificate, a day care facility/provider cannot have received notice of deficient practices within the last survey process.

Procedure

The Procedure for issuing extended licenses will go accordingly:

- Newly registered/licensed day care providers/facilities will be granted a one year certificate. This one year certificate will give the department ample opportunity to assess compliance with the rules based upon observation;

- If after this first year period, the provider/facility has completed an inspection with no deficiencies cited, a 3-year certificate may be granted;

- In the event that the provider is deficient in some areas of the rule, but those areas do not pose risk of harm to the children (i.e., incomplete immunization records, lack of a master list, etc.), the worker *could* issue a 2-year certificate.

- Existing Providers-- Upon the anniversary date, (former renewal date) the provider will complete a request for the extended licensing option. Upon receipt of the request, the licensor will arrange for (within appropriate time lines and as workload allows) an inspection of the day care facility. If the provider is in full compliance with the applicable rules and

regulations, three year registration/license could be granted.

- As with new providers, if the existing provider is deficient in some areas of the rule, but those areas do not pose risk of harm to the children (i.e., incomplete immunization records, lack of a master list, etc.), the worker *could* issue a 2-year certificate.

Contract for continued compliance

Continued compliance with all applicable rules and regulations is required for any provider granted the extended license option. All providers, when given the two or three-year license must sign a contract for continued compliance. See form # ( )

The provider, through this contract will also agree to submit the following items on an annual basis:

- Insurance verification (upon an expiration date);
- Release of Information Forms and QAD-33 forms, TB and immunization records for newly hired staff (prior to beginning employment) and adult members of the household;
- Names and dates of birth of all household members;
- Staff Information documentation (centers only);
- Fire and health inspection reports (centers only);
- Other--as determined by the licensor.

Failure to provide this information and continual compliance with the applicable rules/regulations could affect the approval of the extended license.

Deficient Practice After Extended License is issued

If a provider who has been granted a 2 or 3-year registration/license, fails to maintain full compliance with the rules and regulations, the department can:

- Issue notice of deficient practice through the deficiency notice (and maintain the 2 or 3-year certificate);
- take other corrective actions (such as instituting a training program, directed plan of correction); or
- reduce the certificate back to a one year certificate. The latter should only be done when the deficiencies are such to put children at risk of harm. In these cases, the department

should also institute a plan of correction in conjunction with the provider.

Hearing Rights

Whenever the department reduces the 2 or 3 year registration/license, this is considered adverse action. Therefore, the provider has the right to appeal the agency's decision. Refer to the Fair Hearings Handbook for further instruction (or 11.2.201, ARM).

In notifying the provider of the reduction, the department must include instructions regarding how to apply for a fair hearing and the address at which to do so.

References

52-2-721, MCA (1999)
11.2.201, ARM

DPHHS Policy Manual: Child Care Licensing Program
Locking Door Policy

Background:

In 2002, day care providers brought to the attention of the department rule number 37.95.121(14)(a). This rule states:

> *All facilities must have two accessible exits on each level that are unlocked when children are in care and are easily operable from the inside with a single action...*

This rule was established in order to: (1) allow unobstructed exiting in the event of a fire, and (2) to allow unlimited parental access.

It became apparent to department staff that the concern expressed by these providers involved personal safety. Specifically, providers were worried—particularly in our more populated cities—that by failing to lock the door, they would be leaving themselves (and the children) vulnerable to entry by persons who could harm them. However, in attempting to protect themselves and the children, they were violating the department rule.

It became evident to the department that the overriding safety concerns were paramount and a change in policy and rule was necessary.

Policy Decision:

Based upon further discussion with local fire officials and other key department staff, the Child Care Licensing Program has made the following policy decision regarding 37.95.121(14)(a) until such time as an amendment to this rule can be made:

• Citations of non-compliance regarding 37.95.121 (14)(a) will not be issued as long as the following contingencies are in place:

- Exit doors can be easily opened from the inside whenever the building is occupied for day care purposes;
- Locks, if used, shall not require the use of a key, a tool or special knowledge or effort to open from the inside. The door should be easily opened from inside of the facility regardless of what type of locking hardware is used. Appropriate types of locking hardware might include:

- Motel Locks— This is a lock, which has a deadbolt but is opened by a single turn of the handle;
- Push Button Locks—These are common locks and are routinely installed in residential structures. This type of lock encompasses a " button" within the door-knob. Pushing this button locks the door. To unlock one simply has to turn the handle (single motion).

- That installation of these types of locking devices will not prohibit access by parents. It is the provider's responsibility, if one of these approved locking devices are installed, to adequately inform parents and make appropriate arrangements with them for access to their children.

Example: An example of ensuring access might include using a door bell as the means to announce parent entry. The door bell must be audible in all areas of the facility in which day care is provided.

Giving each custodial parent or guardian a key to the 'day care lock' would also be an acceptable policy.

Important Note: **A deadbolt lock—other than a Motel type lock--cannot be used during the hours the day care is in operation. However, this does not preclude a day care provider from having a deadbolt lock installed for private use, when children are not in care.**

Questions concerning locking devices should be directed to the Licensure Bureau's Construction Consultant, Joe Merrill at 444-6794.